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ESSAYS

PHILOSOPHICAL AND MORAL,

HISTORICAL AND LITERARY.

By W. BELSHAM.

In TWO VOLUMES.

VOL. II.

Eſt quiddam, quod ſuâ vi nos alliciat ad ſeſe, non emolumento captans aliquo, ſed trahens ſuâ dignitate: quod genus virtus, ſcientia, veritas eſt.

CICERO.

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ESSAYS

HISTORICAL AND LITERARY.

BOOK II.

ESSAY XVIII.

ON THE REIGN AND CHARACTER OF QUEEN ELIZABETH.

DURING a reign of almoſt half a century, and for a period of a century and half ſucceeding her death, Queen ELIZABETH was the object of univerſal reverence and admiration: and to this very day her name, to the bulk of the people, carries with it a ſort of magic in the ſound. They conſider her reign as a kind of golden age, as the halcyon days of perpetual proſperity and felicity. But ſeveral perſons, eminent for the depth of their hiſtorical reſearches, have recently diſcovered that the maxims of her government were odious and tyrannical; that her authority

was deſpotic, and that the political conſtitution of this country, in her days, bore a remarkable reſemblance to that of Turkey at preſent. This and much more has Mr. Hume, in particular, aſſerted in a very high and peremptory tone; and as a neceſſary conſequence of theſe aſſertions, he has taken much pains to exculpate the two firſt princes of the Houſe of Stuart, from the accuſations brought againſt them, of introducing arbitrary and unconſtitutional principles of government into their adminiſtration. According to the repreſentation of that eloquent hiſtorian, thoſe monarchs have been treated, both during their lives and ſince their deaths, with the higheſt ingratitude and injuſtice. And if this repreſentation is juſt, England muſt paſs for the moſt whimſical and capricious of all nations: for without any reaſonable or aſſignable cauſe, Queen Elizabeth has ever been, and ſtill is, the object of the higheſt admiration and applauſe; whilſt the unfortunate James and Charles are regarded, the one with contempt the other with deteſtation. But this account cannot give entire ſatisfaction to thoſe who believe human nature to be conſtituted on certain fixed and immutable principles, and who are conſequently inclined to believe that oppoſite effects cannot well proceed from ſimilar cauſes in ſimilar circumſtances.

Certainly Mr. Hume has no reaſon to expect that

that we ſhould entertain a very high idea of that philoſophy which cannot account for moral phænomena upon moral principles, or which ſatisfies itſelf with a vague or general ſolution, without attempting to trace the connection between the ſuppoſed cauſes and their reſpective effects. This remarkable oppoſition of ſentiment, it were far more reaſonable to account for and juſtify by a general review of the leading features of her political character and adminiſtration, contraſted with thoſe of her ſucceſſors of the Houſe of Stuart.

During the civil conteſts which ſo long prevailed between the rival Houſes of York and Lancaſter, the regal authority, irregular as the exertions of it ſometimes appear, was ſubjected to a variety of important and ſalutary reſtraints. As the one or the other party prevailed, popular laws were enacted in order to acquire and preſerve the good will of the nation, which the oppoſite faction, when in power, could not venture to repeal. And in the reign of Edward IV. Lord Forteſcue was able to demonſtrate, in ſtriking colours, the ſuperiority of the Engliſh conſtitution and government, compared with thoſe of the ſurrounding nations;* which indeed was ſufficiently manifeſt

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* Non poteſt Rex Angliæ ad libitum ſuum leges mutare regni ſui. Principatu namque nedum regali ſed et politico ipſe

from the reign of the Engliſh Juſtinian Edward I. In the ſhort period that Richard III. held the ſceptre, many excellent regulations were made: And when the battle of Boſworth placed the crown on the head of Henry VII. he endeavored, at leaſt in his earlier years, to recommend himſelf to the favor of the nation, who were in general much attached to the Houſe of York, by ſimilar means. Though it muſt be confeſſed that upon the whole, and before the concluſion of his reign, the royal authority was greatly augmented. By his artful policy, the juriſdiction of the arbitrary court of Star-Chamber was much enlarged, and the power of the ariſtocracy in a great meaſure broken: and towards the latter end of the reign of his ſucceſſor, by a remarkable concurrence of cauſes the royal prerogative had eſtabliſhed itſelf to appearance above all control. But in proportion as thoſe

ipſe ſuo populo dominatur. Si regali tantum ipſe præ-eſſet eis, leges regni ſui mutare ille poſſet; tallagia quoque et cætera onera eis imponere ipſis inconſultis; quale dominium denotant leges civiles cum dicant, "Quod principi placuit legis habet vigorem." Sed longè aliter poteſt Rex politicè imperans genti ſuæ, quia nec leges ipſe ſine ſubditorum aſſenſu mutare poterit, nec ſubjectum populum retinentem onerare impoſitionibus peregrinis; quare populus ejus liberè fruetur bonis ſuis; legibus quas cupit regulatus nec per Regem aut quemvis alium depilatur."

FORTESCUE DE LEG. ANG.

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adventitious circumſtances which had occaſioned this extraordinary exaltation diſappeared, new limits were ſet to the power of the Crown. And during the minority of Edward VI. the conſtitution was in its moſt eſſential points reſtored. In the ſucceeding reign, notwithſtanding the violence of religious perſecution, the parliament gave ſignal proofs of its attention to the ſecurity and preſervation of the civil privileges of the nation: and Queen Elizabeth at her acceſſion found herſelf in poſſeſſion of a crown, inveſted indeed with ample and ſplendid, and in ſome meaſure indefinite powers; but theſe powers were to be exerciſed over ſubjects poſſeſſing privileges of the moſt important nature: ſome of them of high antiquity, of the value of which they were perfectly ſenſible, and which nothing ſhort of the moſt outrageous violence could deprive them of. It may even be affirmed, that the condition of the lower claſſes of people was at that time in many reſpects preferable to what it now is.

In the middle of the ſixteenth century the feudal ſyſtem was expiring, villanage was virtually aboliſhed, and all orders of men enjoyed the protection and benefit of the ſame general ſyſtem of laws. In thoſe days juſtices of the peace were not, as at preſent, a ſort of cadies, the ob-

jects of dread and terror to the ſurrounding villages; nor were there game laws, or poor laws, or revenue laws at that time exiſting, to be made the inſtruments of tyranny, oppreſſion and revenge. The liberty and property of the higher ranks were effectually ſecured by the equitable and ſimple maxims of the common law, aided by the eſtabliſhed forms of judicial proceedings, and by many wiſe and ſalutary ſtatutes. And though it was not at that period ſuppoſed poſſible to ſupport the juſt authority of government, without exerciſing upon certain occaſions an over-ruling diſcretionary power; yet as this interpoſition comparatively ſpeaking did not often occur, and only in caſes which were ſuppoſed more immediately to affect the ſafety of government, it did not in fact give any great ſhock to the general ſyſtem of liberty. And the arbitrary acts of the council or the Star Chamber, while a firm confidence in the wiſdom and juſtice of the government prevailed, did not more diſturb the public tranquillity, than the eccentric motions of comets interrupt the general order and harmony of the ſolar ſyſtem. The itinerant judges and the courts in Weſtminſter Hall were the uſual and regular channels through which juſtice and judgment were diſtributed to the whole kingdom, and every true and loyal ſubject, to adopt

adopt the words of the great dramatic bard, "could in her days eat in ſafety"

> "Under his *own* vine what he planted; and ſing
> The merry ſongs of peace to all his neighbours."

This Princeſs ſucceeded her ſiſter, the deteſtable Mary, at a very critical period. The nation was divided between two powerful and implacable religious factions; and, moreover, involved in a war with France equally unpopular and unſucceſsful. Her title was by many thought queſtionable. She was deſtitute of foreign alliances, and even of the ſupport of any perſons eminently diſtinguiſhed for authority or influence at home. In this precarious ſituation, her great dependence was on the fidelity and affection of her people. Theſe ſhe reſolved, by every poſſible means, to cultivate; and her ſucceſs was equal to the higheſt expectations ſhe could form. The Engliſh nation, with all that ardor and generoſity which conſtitute a diſtinguiſhed part of their character, repaid her attention and ſolicitude for their welfare with an affection and gratitude which knew no bounds. And, in the warmth of mutual confidence and mutual attachment, it was ſcarcely perceived, that the extenſive and undefined powers of the crown were incompatible with the liberty of the ſubject; or that the neceſſary ſecurity of that liberty loudly called for

a diminution or circumſcription of that prerogative, which they ſaw exerciſed ſo much to the advantage of the public. But not to dwell in generals, there is no difficulty in ſpecifying ſeveral particulars, in which the political character and conduct of Elizabeth differ very eſſentially from her immediate ſucceſſors.

And, 1ſt, Nothing can be more evident, throughout the whole courſe of her reign, than her conſtant and anxious ſolicitude, that all her political tranſactions ſhould have the ſtamp and ſanction of national approbation. Her great popularity is ſometimes repreſented as the effect of artifice. She was poſſeſſed, it is ſaid, of the arts of inſinuation; ſhe knew how to cajole, how to ſoothe, and to flatter. But can any one believe, that, in the courſe of more than forty years, theſe arts ſhould not have been detected? If, at that time, a full perſuaſion of her ſincerity prevailed, it is certainly harſh and unjuſtifiable, at the diſtance of 200 years, to ſtigmatize her laudable endeavors to pleaſe with the appellations of deceit and ſimulation. Not that a degree of art may not, upon ſome occaſions, have been uſed with ſucceſs: but if ſhe had not been really deſirous and anxious, that all her determinations, in matters of public import, ſhould be approved by the people, and if ſhe had not, in a great meaſure, regulated her poli-

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tical conduct by the views and ſentiments of the nation at large, it is impoſſible that all her arts could have availed to produce a general or permanent ſatisfaction. With what addreſs and caution did ſhe conduct the great buſineſs of reſtoring the Proteſtant religion! What nice attention to the national ſenſe of honor appeared in ſettling the terms of the Treaty with France! For though ſhe well knew that Calais was irretrievably loſt, and, probably, did not even wiſh for the reſtitution of it, as it was a favorite object of the nation, ſhe would not, by an abſolute ceſſion, give too great a ſhock to their hopes and prejudices. When preſſed to marriage by the Parliament, in what ſoft and gracious terms did ſhe couch her refuſal! "She was already wedded; England was her huſband, and all Engliſhmen her children." The part ſhe took in the affairs of Scotland was perfectly agreeable to the ſentiments of the nation, and alſo to every principle of ſound policy. Notwithſtanding that her jealouſy was unavoidably awakened by the exorbitant claims ſo openly advanced by the Queen of Scots, and by her obſtinate refuſal to ratify the Treaty of Edinburgh, ſhe yet ſhewed her diſpoſition to maintain an amicable correſpondence with that Princeſs after her arrival in Scotland. And her ſucceeding misfortunes were owing not to the intrigues of Eliza-

Elizabeth, but to her own unexampled indiſcretions, or rather her own atrocious criminalities. For, after all that has been ſaid in her favor by way of exculpation or apology, there can ſcarcely exiſt a doubt of her being an accomplice in the murder of the King, her huſband, and of her being paſſionately and criminally devoted to an abandoned profligate. To ſuppoſe the guilty letters of Mary to Bothwell to be "a forgery of Murray, in concert with Elizabeth," is an hypotheſis which unites the two extremes of ſcepticiſm and credulity. If Elizabeth had formed a previous reſolution, inimical to the reſtoration of Mary, there were, ſurely, public grounds amply ſufficient to juſtify her abandoning that unhappy Princeſs to her fate, without adopting a procedure ſo groſsly infamous. The fact manifeſtly is, that Elizabeth, knowing theſe letters to be in the poſſeſſion of Murray, inſiſted, for good reaſons, that they ſhould be produced. And, after much heſitation, the Scottiſh nobles, who were ſatisfied with the actual depoſition of Mary, and who, for obvious and weighty cauſes on their part, wiſhed not to proceed to farther extremities againſt her, in order to ſecure the protection, and to fix the apparently wavering and ambiguous conduct of Elizabeth, came, at length, to a reſolution, as appears by the act of Secret Council, paſſed December 4, 1567,

"*That*

"*That the lords, barons, and others, can find no other way or moyen how to find or make the ſaid ſecurity, but by opening and reveling the trewth and ground of the whole matter, in as far as, by divers her privie letters, ſent by hir to James Erle Bothwell, chief executor of the horrible murder, it is moſt certain, that ſhe was previe art and part and of the actual deviſe and deid of the murder of the King**."
When the Queen of Scots was thus convicted of murder, adultery, and mal-adminiſtration, and was actually depoſed upon thoſe grounds, by her own ſubjects, is it juſt that Elizabeth ſhould be the theme of reproach, for detaining that Princeſs in ſafe cuſtody? Was the peace and ſecurity of both kingdoms to be hazarded, or rather ſacrificed, from the apprehenſion of incurring the cenſure of hiſtoric ſpeculatiſts 200 years after the event? In ſhort, is it hiſtory, or is it romance, we are contemplating? To indulge the emotions of generous ſympathy is

* This," ſays Mr. Whitaker, in the warmth, or rather the fury of his zeal, " is the fulleſt and moſt deciſive vindication of MARY that can be invented or executed by the powers of man. So full and deciſive an atteſtation to the juſtneſs and mildneſs of her government, and to the propriety, amiableneſs, and exemplarineſs of her perſonal behaviour, as, perhaps, no other Queen ever had." Moſt aſſuredly not; and he might have added, that is is ſuch a teſtimonial of good behaviour, as no future Queen will ever be ambitious to obtain.

doubtleſs

doubtleſs very pleaſing, while we regard Mary as a paragon of excellence, ſuffering under a cruel and unmerited perſecution. But the inchantment diſſolves, when we recollect that this charming and accompliſhed heroine was deprived of her crown, on account of the public infamy of her conduct; that her privileges as a ſovereign from that moment ceaſed; that as ſhe preſumed to lay claim to the kingdom of England, as her undoubted right by hereditary ſucceſſion, it was incumbent upon the government of that kingdom to prevent her taking any active or violent meaſures to enforce this claim. And ſurely it would have been the height of infatuation to ſet this high-ſpirited Princeſs at liberty, when ſhe would not even in captivity conſent to renounce her claims. In fine, when ſhe ſubſequently engaged in a conſpiracy againſt the life of Elizabeth, ſhe juſtly forfeited her own, though it would indeed argue a heart void of ſenſibility not to breathe a ſigh over her unhappy fate.

The aſſiſtance afforded by Elizabeth to the United Provinces, againſt Spain, and to Henry IV. of France, during the continuance of the league, perfectly co-incided with the views and inclinations of her own ſubjects, and was productive of the moſt important and beneficial effects. The war with Spain, which was the neceſſary conſequence of theſe meaſures, was as popular

popular as it was glorious: and though in one important point ſhe declined gratifying the wiſhes of the kingdom, by delaying to ſettle the ſucceſſion to the crown; and there were indeed political as well as perſonal reaſons of great weight why a ſucceſſor ſhould not be appointed; yet ſhe made it ſufficiently evident, that her views and intentions in that grand point entirely coincided with thoſe of the beſt and wiſeſt men in the nation; who all turned their eyes to the King of Scotland as the man, deſtined by Providence to unite, in bands of eternal amity and concord, two nations which had for ſo many ages ſubſiſted in a ſtate of mutual diſtruſt and enmity.

But if we paſs on to the reign of this monarch and his ſon, the unfortunate Charles, what a contraſt! In what ſingle inſtance do we find the intereſts of the people conſulted, or their wiſhes gratified? Not in the countenance and encouragement given by the court to the Catholic religion, at a time when the principles and practices of the Puritans became every day more prevalent. Not in ſacrificing the gallant Raleigh to appeaſe the anger and reſentment of Spain—Not in the deſertion of his own children, the King and Queen of Bohemia, under their accumulated diſtreſſes—Not in the mean and ſervile court he paid to the Houſe of Auſtria, in his attempts to procure the reſtoration of the Palatinate, and to accompliſh

that

that great object of his ambition, the marriage of his ſon with the infanta. Neither can it be ſaid that his ſon and ſucceſſor, Charles, diſcovered any greater condeſcenſion, for the opinions or prejudices of his ſubjects, in eſpouſing a Catholic Princeſs, and granting, in conſequence of this alliance, additional privileges and immunities to the profeſſors of that religion—Or by involving the nation in two dangerous and ſucceſsleſs wars, to gratify the prepoſterous vanity and reſentment of a worthleſs favorite—By levying taxes, in a time of profound peace, by virtue of the regal authority—By a profeſſed intention of governing without parliaments—By violent attempts to ſuppreſs Puritaniſm in England; or, by ſtill more violent attempts to introduce the moſt odious innovations of a religious nature in Scotland. But no farther enlargement is neceſſary on this point. It is too plain to be denied, that the public meaſures of Elizabeth were, in general, agreeable to the ſenſe of the nation; and that ſhe wiſhed and endeavored they ſhould be ſo; and it is as plain, that in the ſucceeding reigns public opinion was wholly diſregarded, and that almoſt all the meaſures of government were the reſult of pride, obſtinacy and folly.

2dly, The contraſt between that great Princeſs and her ſucceſſors appears equally ſtriking, if we conſider their reſpective characters in what

may

may be termed a legal point of view; or as ſovereigns poſſeſſed of a limited authority. Though it muſt be confeſſed that the deportment of Queen Elizabeth, notwithſtanding her general affability, was upon ſome occaſions ſufficiently imperious, it does not appear that ſhe ever had an idea of advancing ſuch exorbitant principles and pretenſions as James I. perpetually inſiſted upon in his reaſonings and ſpeculations upon government; and which Charles, fatally for himſelf, attempted to reduce to practice. Mr. Hume aſſerts that the only buſineſs of parliament in this reign was to grant ſubſidies. "They pretended, indeed," ſays he, "to the right of enacting laws." Pretended! and did they not exerciſe this right? If Mr. Hume had taken the trouble to conſult the ſtatute book, he would have known that very important and ſalutary laws were enacted in this reign; though the abſurdity of multiplying uſeleſs, complex, and oppreſſive legiſlative regulations and reſtraints was wiſely and happily avoided. Lord Chief Juſtice Forteſcue entertained, certainly, much more lofty ideas reſpecting the authority of this aſſembly, when he refuſed "in any wiſe to determine the extent of the privileges of the high court of parliament. For," ſays he, "ſo high and mighty is it in its nature, that it may make that which it pleaſes to be law; and that which is law, it may make no law; and

the

the determination and knowledge of the privilege of parliament belongs to parliament only." It was a famous apothegm of the Lord Treaſurer Burleigh, that England could be ruined only by a parliament; and Sir Edward Coke ſays, "the power and juriſdiction of parliament is ſo tranſcending and abſolute that it cannot be confined either for cauſes or perſons within any bounds. *Si antiquitatem ſpectes*, he adds, *eſt vetuſtiſſima*; *ſi dignitatem eſt honoratiſſima*, *ſi juridictionem eſt capaciſſima*." The parliament, indeed, did not aſſume a power of controlling the crown in "matters of ſtate," as they were called, or, in other words, of directing the tranſactions of the ſovereign with foreign powers. And the Queen's conduct, in this reſpect, gave ſuch entire ſatisfaction to the public, that they were under little or no temptation to interfere; but they uſually confined themſelves to the leſs ſplendid but more uſeful employment of ſuperintending the domeſtic concerns of the nation. And it is obſervable, that to this day parliament poſſeſſes no authority, properly ſpeaking, reſpecting foreign affairs; though the extenſive powers veſted in that body, and the utter inability of the crown to ſupport itſelf without aſſiſtance, give it the higheſt degree of influence whenever it judges interference neceſſary. On the other hand, the influence of the crown over the legiſlative aſſemblies

blies is, in modern times, by the moſt unconſtitutional and unexpected means, ſo enormouſly increaſed that the control of parliament over the crown is become the mere echo of a ſound.

Mr. Hume is pleaſed to aſſert that England had leſs reaſon to boaſt of her liberties in the reign of Elizabeth than the generality of foreign nations at preſent. But let us for a moment ſuppoſe that the authority of the general aſſembly of eſtates in France were reſtored; that all traces of vaſſalage were aboliſhed; that trials by jury were introduced; that in the regular courts of judicature nothing were regarded as law but what had been virtually aſſented to, or expreſsly enacted by the repreſentatives of the people; that individuals of every rank in public ſtations were diveſted of all diſcretionary powers, and obliged to conform their conduct to the ſtandard of the laws; that the formidable ſtanding army of that kingdom were annihilated, and taxes levied only by the authority of the eſtates of the realm*; would any man in his ſenſes take upon

* In the ſhort ſpace of time which has elapſed ſince the above was written, all this, and much more than this, incredible as it muſt then have appeared, has been actually accompliſhed in France; which has exhibited to an aſtoniſhed world the unprecedented example of a great and enlightened nation, by one daring and glorious effort, ſhaking off the chains and fetters of deſpotiſm, though rivetted by the preſcription of ages, "as dew-drops from a lion's mane."

him to ſay, notwithſtanding that the authority which remained to the crown might be in a great degree indefinite; notwithſtanding the exiſtence of irregular courts which might be empowered to take cognizance of extraordinary caſes; notwithſtanding that the ſovereign might ſometimes uſe very lofty and imperious language to the legiſlative body; and even dare occaſionally to violate their eſtabliſhed rights and privileges; would any man venture to ſay that liberty had not made very great advances in that kingdom; could it be denied that they were in fact poſſeſſed of a conſtitution, on the baſis of which a regular and permanent ſyſtem of liberty might eaſily be founded? If, indeed, the government of a country in ſuch circumſtances was conducted with addreſs and ability; if the public intereſts were upon the whole underſtood and purſued; if the extraordinary and irregular exertions of prerogative were ſuch as the neceſſity of the ſtate ſeemed to juſtify; if a due regard was paid to public opinion, and a juſt reverence maintained for the authority of the laws in the common and ordinary courſe of proceedings; the general ſatisfaction and popularity attending ſuch a government muſt naturally preclude any vigorous attempts to improve the conſtitution, or eſtabliſh the principles of liberty on a more ſecure or extenſive foundation. Theſe ſpeculative ideas

ideas nearly correſpond with the real ſtate of things in the times of Elizabeth. But if the ſceptre ſhould, in ſimilar circumſtances, devolve to weak or obſtinate princes who held public opinion in contempt; who purſued meaſures incompatible with the public intereſts; who had the imprudence upon every occaſion to advance ſpeculative principles utterly ſubverſive of civil or political freedom; who inſiſted that the privileges of the ſubjects were derived merely from the grace and favor of the ſovereign, and the power of the ſovereign from God alone; and eſpecially if theſe deſpotic principles were reduced to practice; if they were converted into fundamental maxims of government; if there were evident marks of a regular and concerted plan for the extinction of popular privileges, and for reducing the nation to the moſt abject ſtate of ſubmiſſion to the will of the monarch; if no other reaſon than "Such is our pleaſure" were aſſigned for the moſt irregular and violent exertions of power; a nation muſt be deſtitute of every ſpark of public virtue and public ſpirit, and even deaf to the dictates of common ſenſe, who did not, in conſequence of ſuch alarming inroads upon the conſtitution, take occaſion to ſcrutinize with more accuracy into the nature and foundation of human authority; who did not make uſe of the advantages they poſſeſſed to cir-

cumſcribe within narrower limits, and to aſcertain by more exact boundaries thoſe powers and that prerogative which had excited ſuch juſt and general apprehenſion. This repreſentation is perfectly applicable to the ſtate of affairs in the reigns of James and Charles.

Mr. Hume expreſſes his ſurprize that ſo different a fate ſhould attend the memories of Henry VIII. and Charles I. but there is, in fact, nothing very extraordinary or ſingular in the caſe: Henry VIII. was, undoubtedly, a tyrant, but he was at the ſame time poſſeſſed of qualities which will always command a certain degree of reſpect; and it muſt be conſidered, that though a variety of cauſes then concurred to diſturb the balance of the conſtitution, and to throw a prodigious weight of power into the ſcale of the crown, yet the parliament was uſually made, even in that reign, the inſtrument of regal tyranny; by which means he not only gave dignity and efficacy to his meaſures, but eſcaped a great ſhare of the popular odium which would otherwiſe have attended him. Let it be conſidered, too, that Henry never went the lengths in the delicate and dangerous buſineſs of taxation which Charles ventured to do: not to mention that, in the long period of a century, very eſſential alterations in a political ſyſtem may reaſonably be ſuppoſed to take place. And it is as prepoſterous to attempt

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to juſtify or palliate the arbitrary conduct of Charles I. by appealing to precedents drawn from the reign of Henry VIII. as it would be to vindicate any illegal or unconſtitutional practices of the preſent reign by an appeal to the direful precedents of the latter days of Charles II. In the beginning of the ſeventeenth century the maxims of the reign of Henry VIII. were become obſolete. Men were accuſtomed to another mode of government. Their minds were occupied by the recollection of the glorious and proſperous times of Elizabeth, when uninterrupted affection and harmony ſubſiſted between the ſovereign and the people: and if the prerogative was occaſionally exerted in an irregular and arbitrary manner, thoſe very exertions were ſeen or were thought at leaſt to be neceſſary, and no apprehenſions were entertained that they were the reſult of a fixed and preconcerted plan to enſlave the nation. Charles I. was a tyrant as well as Henry VIII. but he attempted the part at a period far more unfavorable to the ſucceſs of his deſigns. Mr. Hume pretends that the circumſtances in which he was placed were in the higheſt degree critical; and plauſibly apologizes for him by ſaying, that his capacity was not equal to ſituations of ſuch extreme delicacy. But his ſituation at the commencement of his reign was not to be compared, in point of difficulty, with

that of Elizabeth. In the progreſs of it, indeed, it muſt be confeſſed that he frequently involved himſelf by his own imprudence, or rather infatuation, in circumſtances of ſuch extreme difficulty, that had he even poſſeſſed the capacity of Elizabeth, he could not have extricated himſelf with honor. But it ſurely required nothing more than a common ſhare of common ſenſe, to ſee that the temper of the times would not endure even thoſe ſtretches of prerogative which were thought neceſſary, or excuſable at leaſt in the days of Elizabeth; much leſs any wanton or novel exertions of power; and leaſt of all, would it bear an open and almoſt avowed deſign, to reduce the nation to a ſtate of ſuch abject and unreſerved ſubmiſſion, that if it had ſucceeded, Mr. Hume might indeed have had reaſon ſufficient for his aſſertion, reſpecting the reſemblance of the Engliſh government to that of Turkey.

It muſt, without doubt, greatly ſurpriſe thoſe who conceive of Queen Elizabeth, as a Princeſs poſſeſſed of deſpotic authority, which is the idea Mr. Hume labours to inculcate, to be made acquainted with many circumſtances of her conduct and management during the courſe of her reign. In the very commencement of it, the odious and ſanguinary inſtruments of her ſiſter's cruelties eſcaped with impunity, becauſe they had acted under the ſanction of the law. So mild were the maxims

maxims of the government at this period, that the deteſtable and inhuman Bonner himſelf could venture to appear in public, and even at court, with perfect ſecurity. The Queen, indeed, it is remarked, averted her eyes, no doubt with horror, from that man of blood; but no other mark of diſgrace or reſentment followed. Biſhop Burnet informs us, that Cecil and the other counſellors of Elizabeth, were unanimouſly of opinion, "that no ſteps ſhould be taken by the Queen's highneſs to reſtore the Proteſtant religion, till a Parliament could be ſummoned." And we accordingly find, that nothing of conſequence was done in that important buſineſs without the ſanction of legiſlative authority. In the enſuing Parliaments the affair of the ſucceſſion, which had been ſlightly touched on by the preceding one, was reſumed with great warmth, and the Queen was reduced to a very diſagreeable dilemma. The right of blood clearly reſted in the Houſe of Stuart; but the will of Henry VIII. the validity of which, though founded on an act of Parliament, was nevertheleſs the ſubject of much diſpute, was expreſs in favor of the Houſe of Suffolk. An authoritative and ultimate deciſion in favor of either, muſt be attended with obvious inconveniences to the reigning ſovereign.

To prevent the Commons from urging the matter farther, ſhe was obliged, contrary pro-

bably to her real intentions, as well as her former declarations, to give them ſome hope and intimation, that ſhe entertained views of entering into the marriage ſtate. With theſe hopes they appeared in a great degree ſatisfied, but time proving them to be fallacious, they renewed, in a few years, their application for a ſettlement of the crown with greater vehemence than ever. The Queen, on this occaſion, was ſo far provoked as to prohibit the Houſe from proceeding in this matter, but little regard being paid to her orders, however peremptory, ſhe thought proper by another meſſage graciouſly to revoke them, and to allow the Houſe liberty of debate. She again intimated her intentions of ſpeedy marriage; but finding this artifice did not make much impreſſion, ſhe plainly declared her apprehenſions that the appointment of a ſucceſſor would be attended with great danger to her perſon: that ſhe knew, by her own experience, during the reign of her ſiſter, how much court was uſually paid to the next heir, and what dangerous ſacrifices men were diſpoſed to make of their preſent duty to their future proſpects: and that ſhe was therefore determined to delay, till a more proper opportunity, the deciſion of this important queſtion. The houſe finding the extreme reluctance of the Queen to comply with their wiſhes, and impreſſed, doubtleſs, with the juſtice of her obſervations, thought

thought proper to drop the profecution of the ſubject: and the Queen, on diſſolving the Parliament, reiterated her proteſtations of regard for the welfare and ſafety of her ſubjects, and diſclaimed the moſt diſtant intention of encroaching on their rights and liberties. But ſtill fearing that her conduct might leave injurious impreſſions, ſhe voluntarily remitted a conſiderable part of the ſubſidy voted by Parliament, declaring, that as ſhe had no immediate occaſion for the money, ſhe was as well ſatisfied it ſhould remain in her ſubjects' pockets, as in her own exchequer.

In the year 1571, another Parliament was ſummoned, and the principles of the Puritans having made great progreſs in the intervening years, attempts were made in the Houſe of Commons to procure ſome farther reformation in religion. But the ſuperintendency of eccleſiaſtical affairs being veſted in the crown by the act of ſupremacy, the Queen took offence at theſe proceedings; and went ſo far as to reſtrain, by an order of council, a member named Strickland, who had the preſumption to move the obnoxious bill in queſtion, from giving his attendance in Parliament. The Commons immediately took fire at this unuſual ſtretch of power; and it was boldly and unreſervedly declared, that the members of that Houſe were amenable for their conduct in that

that capacity to no other jurisdiction; that though the prerogative of the crown ought not to be violated, yet was that prerogative limited by law; and that as the sovereign could not make laws, so neither was he entitled to break them of his own authority. The court party, by moving an adjournment, prevented the House from passing any violent resolutions upon this occasion: and the next day the Queen had the good sense and moderation to send her royal permission to Strickland to attend his duty in Parliament. Upon a question concerning monopolies, Sir Humphrey Gilbert advised the House to beware, lest, if they meddled farther with these matters, the Queen might look to her own power; and finding herself able to suppress their challenged liberty, and to exert an arbitrary authority, might imitate the example of Lewis XI. of France, who, he observed, had delivered that crown from *wardship*. A plain indication, surely, that a fundamental difference at this time existed, and was perceived to exist between the two monarchies of France and England.

In the year succeeding the defeat of the Armada, a Parliament was held, and some regulations being proposed respecting the abuses of purveyance, and certain alterations moved in the practice of the Court of Exchequer, a kind of amicable dispute ensued between the Queen

and the Commons. Lord Burleigh, in her name, inſiſted that theſe were matters which touched the prerogative; and that the Queen had ample authority to rectify grievances of this nature, if applied to by way of petition. Upon which the Houſe appointed a committee to attend the Queen, and aſſure her that their conduct did not proceed from want of duty or reſpect. The Queen received them with the moſt gracious condeſcenſion; and in her turn aſſured her loving ſubjects that ſhe had already given orders for an enquiry into the abuſes attending purveyance, but that the progreſs of it was retarded by the dangers of the Spaniſh invaſion: that with the advice of her council and judges, ſhe would redreſs every grievance which had crept into the adminiſtration of the courts of juſtice; but could not admit that the Houſe of Commons, by laws moved without her privity, ſhould deprive her of the honor attending theſe regulations.

In the next Parliament application was again made to the crown, by way of petition, againſt monopolies, which indeed appear to have been ſufficiently oppreſſive. But the Queen replied, "that with regard to theſe patents, ſhe hoped her dutiful and loving ſubjects would not take away her prerogative, which was the chief flower in her garden, and the principle and head pearl in her crown and diadem; but that they would rather

rather leave theſe matters to her diſpoſal." This ſoft, but evaſive anſwer, ſo mollified the untoward and uncourtly diſpoſition of the Houſe, that nothing farther was attempted till the next Parliament, which met in the year 1601, and which was the laſt Parliament ſummoned in this reign. By this time the abuſes of which ſuch repeated complaints had been made, and which it was expected that the Queen would have redreſſed by virtue of her prerogative, had ariſen to an enormous height: and a bill was immediately introduced for the purpoſe of aboliſhing monopolies. This meaſure was vehemently oppoſed by the court party, on the old ground, that this matter regarded the prerogative: and that the Queen ought to be applied to in the way of petition. Some very extravagant things were advanced on this occaſion, reſpecting the extent of the regal authority, particularly by Sir Francis Bacon and other court lawyers, which were properly animadverted upon by ſeveral of the independent members: and when Serjeant Heyne had the aſſurance to aſſert, "that the Queen had the ſame right to the lands and goods of the ſubject as to any revenue of her crown; the Houſe hemmed and laughed, and would not ſuffer him to proceed in his ſpeech."* Upon the whole, it appeared to be the unanimous reſolu-

* D'Ewes's Journal.

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tion of the Houſe, notwithſtanding theſe courtly arguments and harangues, that ſome effectual method ſhould now be taken to put a final period to theſe intolerable oppreſſions. It was urged, that petition after petition had been preſented, to no purpoſe, and that nothing leſs than an act of Parliament was adequate to the correction of theſe abuſes. But the excellent underſtanding and never failing political ſagacity of the Queen, once more ſaved her from diſgrace. For before the bill had paſſed the Commons, ſhe ſent for the Speaker, and commanded him to acquaint the Houſe, that ſhe would immediately cancel theſe obnoxious patents. The Houſe, who doubtleſs entertained an high and juſt ſenſe of the Queen's general character and perſonal merits, and did not, without reluctance, proceed thus far in their oppoſition, immediately, in a formal addreſs, returned their moſt grateful acknowledgments for this extraordinary inſtance of her Majeſty's goodneſs and condeſcenſion: and the Queen, in reply, made new profeſſions of tenderneſs, regard, and attachment to her beloved people. "I had rather my heart or hand ſhould periſh, ſaid this magnanimous woman, than that either my heart or hand ſhould allow ſuch privileges to monopoliſts as may be prejudicial to my people. The ſplendor of regal majeſty hath not ſo blinded mine eyes, as that licentious power

ſhould

ſhould prevail with me more than juſtice. I know that the *Commonwealth* is to be governed for the good and advantage of thoſe that are committed to me, not of myſelf, to whom it is intruſted. I think myſelf moſt happy, that by God's aſſiſtance, I have hitherto ſo proſperouſly governed the *Commonwealth* in all reſpects, and that I have ſuch ſubjects, as for their good I would willingly leave both kingdom and life alſo."* Thus was this critical affair, which the evil genius of a Stuart would quickly have fomented to a ſerious quarrel, happily terminated; and the Queen had the ſatisfaction of parting with her people in Parliament, for the laſt time, with all that mutual warmth and ardour of attachment which diſtinguiſhed the auſpicious commencement of her reign, more than forty years before. The Queen died in March following, more admired, beloved, and regretted, than perhaps any ſovereign whoſe name is recorded in hiſtory. Nor can any one of her predeceſſors, ſince the days of Alfred, be placed in any degree of competition with this great Princeſs, whether we

* Let thoſe who regard it as inconſiſtent with the *dignity of government*, to make any conceſſions to diſcontented ſubjects, ponder well this feature of Queen Elizabeth's general policy. Her reign was indeed uniformly proſperous: but "over wiſdom," ſays Lord Bacon, "fortune has no power."

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conſider the popularity, the wiſdom, or the ſucceſs of her adminiſtration.

An able, impartial, and accurate hiſtory of the reign of Elizabeth is ſtill a deſideratum in Engliſh literature. A philoſophical hiſtorian would have ample ſcope to trace the ſilent and gradual operation of thoſe moral and political cauſes, which afterwards produced ſuch mighty effects. During that long, peaceful, and proſperous reign, the adminiſtration of government inſenſibly aſſumed a more regular and ſettled form. Men began to reaſon and to ſpeculate. Though it was in many reſpects an age of darkneſs, yet it was an age of enquiry: and the thick clouds, which had ſo long obſcured and enveloped the human faculties, were now viſibly diſperſing. The rudiments of a free conſtitution had long been formed. The eſſential powers of government could not be exerciſed but by the intervention and with the concurrence of the people. They were not indeed in the habit, but ſtill they poſſeſſed the power of making a formidable and effectual reſiſtance to the will of the ſovereign. Of this, the uniform conduct of the Queen ſhews that ſhe was not unapprized. Amid the jealous and inceſſant ſolicitude which ſhe diſcovers to preſerve the prerogatives of the crown in the fulleſt extent and vigour, and the haughty and imperious language, which ſhe was prompted both

both by pride and policy occaſionally to adopt, may be diſcerned a ſecret dread of involving herſelf in any ſerious or permanent quarrel with her Parliaments. And though the tone of authority which ſhe uſually aſſumed rarely failed of its purpoſe, yet, when the Commons ſhewed any ſymptoms of vigour and deciſion, it was her invariable policy to recede: and ſo well-timed and gracious were thoſe occaſional conceſſions, that the eſtabliſhed authority and reputation of her government were no wiſe impaired by them. Her great and conſtant object was to preſerve the affections and to conciliate the confidence of the people at large: and ſhe never ſuffered a diſpute to continue ſo long, or to become ſo ſerious, as to intereſt the feelings of the nation, or to induce them eagerly to engage in the ſupport of their repreſentatives. And the Queen herſelf made it juſtly a ſubject of boaſt in one of her ſpeeches that ſhe had never parted with a Parliament in anger.

The limits of this Eſſay allow a very curſory notice only of the events of the ſucceeding reigns. Certain indications appeared very early after the acceſſion of the Scottiſh monarch, that new maxims of government were adopted, and new meaſures of obedience were to be exacted. In the very firſt Parliament ſummoned by James, he ſcrupled not to aſſert that he was an abſolute King,

King; and that all their privileges were derived from his grant. His extravagant, and even preposterous ideas of the nature of the kingly office and authority, displayed themselves by supposing, that at his accession peace was, *ipso facto*, restored between the English and Spanish monarchies; merely because amity subsisted between himself and the King of Spain previous to that event. The same absurdity of intellect, operating upon the same loftiness of disposition, led him to confound the union of the two British crowns with an union of the two nations; for he maintained, that his subjects born in either kingdom, after his accession, were, of consequence, naturalized in both. He openly asserted it to be sedition in subjects to dispute what a King may do in the height of his power.

Soon after the death of the Earl of Salisbury, *A. D.* 1613, a Parliament was summoned; and the loss of that able minister quickly appeared in the rash and precipitate conduct of the King, who dissolved the Parliament, in great wrath, after a very short session, before the business of a supply was entered upon, on account of the apparent disposition of the House of Commons to restrain certain abuses of the prerogative. After which he continued to govern for some years without Parliaments; when being reduced, by his imprudent prodigality, to extreme distress,

he was conſtrained to call one, *A. D.* 1621. And though a tolerable good underſtanding ſeemed, for a time, to prevail between the King and the Commons, ſome grievances being redreſſed on the one part, and ſome ſubſidies voted on the other, a violent rupture ſoon enſued, in conſequence of a remonſtrance which the Houſe had the boldneſs to preſent to the King, reſpecting the buſineſs of the Palatinate, and the negociation now carrying on for the marriage of the Prince of Wales with the Spaniſh Infanta. The King's puſillanimity, with regard to the firſt, had not excited leſs anger and reſentment at home, than deriſion and contempt abroad: and the puritannical ſpirit was now ſo univerſally diffuſed, that the latter was viewed by the whole nation with horror and deteſtation. The indignation of James, at this unexpected and unwelcome interference, knew no bounds. He reprimanded the Houſe, with great vehemence and acrimony, for preſuming to debate of things ſo far above their reach and capacity. He abſolutely forbade them from meddling with theſe deep matters of ſtate; contemptuouſly applying to them the vulgar proverb "Ne ſutor ultra crepidam." He condeſcended, however, to aſſure them, that though their privileges were derived from the grace and permiſſion of the ſovereign, yet as long as they contained themſelves within the limits

limits of their duty, he ſhould maintain them inviolate. The Commons, thrown, as might be expected, into a flame by this treatment, immediately voted, that the liberties, franchiſes, privileges, and immunities of Parliament, are the ancient and undoubted birthright and inheritance of the ſubjects of England. The King, on receiving this information, ſent for the journals of the Commons, and, with his own hand, tore out this reſolution of the Houſe: and not chuſing to venture another meeting after this outrage, he immediately diſſolved the Parliament—after which ſeveral of the moſt popular members were committed to priſon, and a proclamation was iſſued, abſolutely prohibiting all diſcourſe concerning theſe extraordinary proceedings. Two years after this, however, the Spaniſh alliance being now abandoned, the King, preſſed by his neceſſities, and influenced by Buckingham, who had a war with Spain in contemplation, once more iſſued a ſummons for a new Parliament. In his ſpeech at the opening of the ſeſſion, he ſo far deſcended from his former height of loftineſs, and even from that dignified reſerve which ſhould always accompany the kingly character, as to ſtate to the Houſe his cauſes of complaint againſt the Spaniſh court, and to aſk their advice reſpecting the diſpoſal of his ſon in marriage—that identical point which

he had forbid the laſt Parliament, in the moſt peremptory manner, to preſume to make the ſubject of their deliberations. He alſo voluntarily offered, that the money voted for the purpoſe of carrying on the propoſed war againſt Spain ſhould be paid to a committee of Parliament, and entruſted entirely to their direction and management; a moſt imprudent conceſſion, and even contrary to the firſt principles of the Engliſh conſtitution. He had now ſufficiently ſhewn his weakneſs and timidity; he had demonſtrated himſelf to be "infirm of purpoſe," and it required but little ſagacity to ſee the great augmentation of authority and influence which muſt accrue to Parliament from ſuch conduct: and no man of common diſcernment could imagine that the Commons would be induced to relinquiſh the deciſive advantage they had gained, by a recurrence to that haughty and contemptuous mode of treatment over which they had ſo recently triumphed. In this ſtate of things the King died, and the ſceptre devolved to his ſon Charles; but the hiſtory of this reign is too copious and intereſting to enter upon. Suffice it to ſay, what the ſlighteſt knowledge of the memorable events of it will evince, that the arbitrary maxims and ſpeculations of the father were by the ſon, fatally for himſelf, reduced to practice, and pervaded every department of the govern-

government. Mr. Hume himſelf is compelled to acknowledge, that, in numerous inſtances, the laws of the land were openly and notoriouſly violated. "Liberty was totally ſubverted; and an arbitrary and deſpotic authority exerciſed over the kingdom." It is, indeed, impoſſible not to be ſhocked at the recital of thoſe facts which this hiſtorian has himſelf given us in illuſtration of this remark. Upon what grounds, then, can this able and eloquent apologiſt undertake to extenuate the enormity of ſuch a conduct? The truth is, his eager deſire of apologizing for the miſconduct of the Princes of the Houſe of Stuart has, unfortunately, made him take ſuch indefatigable pains to caſt a ſhade over the character of Elizabeth, and to brighten the dark *traits* of the ſucceeding reigns, that when he attempts to trace the connection of events, and to account for the uninterrupted harmony and felicity ſubſiſting under the adminiſtration of the one, and the perpetual diſcord and univerſal odium attached to that of the others, he has precluded himſelf from diſplaying, in their proper colours, thoſe cauſes which had the principal influence in producing the fatal effects which enſued. The ſeverities of the Queen's reign were regarded by the public as proceeding from a ſtrong and real political neceſſity. Or, at moſt, if the Queen was chargeable with ſome abuſes of pre-

rogative, ſhe had the ſenſe and prudence to avoid all poſitive violations of eſtabliſhed privileges; and as the great body of the people were never alarmed with the apprehenſion of deſigns inimical to the public happineſs, the whiſpers of individuals were loſt amidſt the loud acclamations attending her proſperous and popular adminiſtration. But with reſpect to Charles, the whole tenor of his conduct evinced, that the great ſpring of all his actions was an eager and intemperate deſire to emancipate himſelf from every ſpecies of controul: and he ventured to purſue his dangerous projects even while labouring under an univerſal odium, and at a time when the weak and arbitrary conduct of his father had occaſioned the principles of government to be more canvaſſed, and much better underſtood, and all ranks of people were making daily acceſſions of power and conſequence, as well as knowledge; and actually went far greater lengths in oppoſition to the eſtabliſhed laws than Elizabeth, or even than Henry VIII. himſelf had ever done, in the moſt elevated ſtate of his authority. Surely, then, we may ceaſe to wonder at the tragical events which ſucceeded. However, in juſtice to this monarch, it muſt be acknowledged, that he had, previous to the commencement of the civil war, made every conceſſion that could reaſon-

reaſonably be deſired. Nay, it may be juſtly affirmed, that in giving his aſſent to the perpetuity act, he not only annihilated his own power but ſubverted the conſtitution; and, from that fatal æra, the Houſe of Commons demonſtrated, by almoſt every meaſure they adopted, that they had an intereſt of their own, ſeparate from, and very often contrary to the general intereſts of the people.

3dly, There is yet another point of view in which Elizabeth may with great advantage be ſet in competition with her immediate ſucceſſors; and that is her perſonal character and diſpoſition. Her extreme affability and gracious deportment, which ſhe never ſuffered to degenerate, like her ſucceſſor James, to a low and groſs familiarity, were highly acceptable to the people; and no doubt formed one great ſource of her unbounded popularity. It is remarkable that Charles II. "that monſter of a King," as Pope ſtiles him, is ſtill regarded in a very favourable light by the generality of people, from the ſtrong impreſſion which his faſcinating manners, the charms of his addreſs and converſation originally made on the minds of the public. The total want of dignity and decorum in James, and the frozen formality and more than Spaniſh ſtatelineſs of Charles, occaſioned extreme diſguſt, and expoſed them to real inconvenience: but if we contemplate the generoſity and magnanimity of Elizabeth, the

ſuperiority of her character will be ſtill more apparent. To mention a few inſtances: in the reign of her ſiſter Mary ſhe had been committed to the cuſtody of Sir Henry Bedingfield, who treated her with extreme harſhneſs and ſeverity; but the only revenge taken by the Queen, after her acceſſion to the crown, was to give him, in her uſual diſcourſe, the appellation of her gaoler; emulating, in this inſtance, the noble pride of Louis XII. who, on a ſimilar occaſion, thought it beneath the dignity of a King of France to revenge the quarrels of a Duke of Orleans. Notwithſtanding the regret with which the Engliſh nation ſaw Calais fall into the hands of the French, the Queen poſitively refuſed to liſten to the inſidious overtures of the French court, who offered immediate reſtitution if ſhe would recall her troops, and deſiſt from all farther interference in the affairs of Scotland. Without heſitation ſhe firmly replied, that ſhe would not ſacrifice the intereſts of her kingdom for the ſake of a paltry fiſhing town.

Though it muſt be acknowledged that ſhe was by no means exempt from the foibles of her ſex, as the curious anecdotes preſerved by Melville and other writers fully evince; and though among her courtiers there were ſome whom ſhe diſtinguiſhed with peculiar marks of her favor, yet the diſgraceful recal of Leiceſter from the Netherlands,

and

and the fatal cataſtrophe of Eſſex, plainly prove how much the Queen predominated over the woman. But the blind partiality of her ſucceſſors, James and Charles, for their minions Somerſet and Buckingham, was as pernicious as it was ridiculous. When offered, nay, ſolicited to accept the ſovereignty of the United Provinces, ſhe had the greatneſs of mind to reject the propoſal, ſatisfied with the glory of being their protectreſs and friend. The treaty of marriage with the Duke of Anjou gave occaſion to a moſt manly and ſpirited letter to the Queen from Sir Philip Sydney, ſtating in very ſtrong terms the inſuperable objections to that alliance, which, even in our times, would be thought a very uncommon liberty. But this ſhe took in good part, and the negotiation was ſoon after entirely broken off. It is ſtill more worthy of remark that, during the time this treaty was depending, the Queen being one day in her barge on the Thames, with Simier the French agent, and others of her court, a ſhot was fired by a man ſtanding on the oppoſite ſhore, which paſſed very near the Queen and wounded one of the bargemen. After a ſtrict examination, no proof of treaſonable intention appearing the Queen ordered him to be ſet at liberty; declaring that ſhe never would give credit to an accuſation againſt any one of her ſubjects which a mother would not believe of

of her own children. What reſolution and ſpirit did ſhe not exhibit when the whole nation was in alarm at the proſpect of a Spaniſh invaſion! With all the heroiſm of a Boadicea ſhe put herſelf at the head of her army, profeſſing her firm purpoſe to lead them herſelf into the field, and rather to periſh in battle than ſurvive the ruin and ſlavery of her people. "Let tyrants fear," ſaid ſhe; "I have always ſo behaved myſelf that, under GOD, I have placed my chiefeſt ſtrength and ſafeguard in the loyal hearts and good-will of my ſubjects. I know I am but a weak and feeble woman, but I have the heart of a King, and of a King of England too; and think foul ſcorn that Parma or Spain, or any Prince in Europe, ſhould dare to invade the borders of my realms."

Upon the diſcovery of that conſpiracy, in which the Queen of Scots was ſo deeply concerned, and for which ſhe juſtly paid the forfeit of her life, many letters from different Engliſh noblemen were found in her cabinet, containing ſtrong profeſſions of their attachment to that princeſs. Of theſe the Queen would take no notice, and by this generous policy converted many of her ſecret enemies into real friends. Lord Chancellor Bacon relates that, certain inſtructions being tranſmitted to the Engliſh Reſident at Paris, the Secretary of State had inſerted a clauſe that the ambaſſador, in order to ingratiate himſelf with the

the Queen mother, the famous Catherine of Medicis, ſhould take occaſion to ſay, that theſe two Princeſſes, the Queens of England and France, for experience and ſkill in the arts of government, were equal to the greateſt monarchs. But Elizabeth, indignant at this compariſon, immediately ordered the direction to be eraſed, ſaying, "that ſhe had uſed quite different arts and methods of government."

The liberty which Shakeſpeare ventured to take with the character of Henry VIII. in the lifetime of his daughter, may be cited as a ſtriking proof of the mild and moderate, or rather the magnanimous ſpirit of her government. Againſt the repreſentation of ſuch an hiſtoric drama, in modern times, the *veto* of the Lord Chamberlain would, in ſimilar circumſtances, doubtleſs be affixed. To add no more, ſhe gave a ſignal inſtance how much ſhe roſe ſuperior to the fears and jealouſies incident to weak minds, in the propoſal ſhe made to the States of Scotland, to educate the young King, at her own coſt, and at her own court, no doubt as preſumptive heir to the crown. A remarkable contraſt to the conduct of Queen Anne, who, in a reſembling ſituation, could never endure the idea of ſeeing her ſucceſſor, whoſe reſidence in England would, as ſhe declared, keep the image of her coffin perpetually before her eyes.

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It would be an endleſs and invidious taſk to adduce particular inſtances of the folly, weakneſs, and pride of the Scottiſh line of monarchs. The Houſe of Stuart were utter ſtrangers to that "inborn royalty of mind," which caſt ſo great a ſplendor over the character of their illuſtrious predeceſſor. Charles I. at his trial and execution, exhibited, indeed, remarkable proofs of firmneſs and calm reſignation: ſo did the unfortunate Mary at Fotheringay Caſtle: ſo did his deſcendant, James, at the Abbey of La Trappe. And this paſſive fortitude, the manifold difficulties and diſtreſſes in which that infatuated family have been involved, have given them frequent opportunities of demonſtrating that they are by no means deſtitute of.

There are two obſervations yet neceſſary to render complete juſtice to the character of Elizabeth. The firſt is, that there appears no real foundation for the charge of avarice, ſo often urged by the enemies of this Princeſs, and ſo injurious to her reputation. To this charge it may be replied, that in the reign of Elizabeth, the revenues of the crown were extremely circumſcribed, and Parliament was not then in the habit of giving away millions in a breath. Her œconomy was the pillar which ſupported her authority and independency. Nevertheleſs it is allowed, that ſhe lived in a ſtile of great magnificence,

ficence, ſuch as the wretched appearance of the Britiſh Court, in our own times, cannot excite the faineſt idea of. She cleared the crown in a few years of the heavy debts contracted by her father, brother, and ſiſter. She remitted great ſums, at different times, to Scotland, to Holland, and to France. The debt due from Holland alone amounted, at her death, to no leſs than £. 800,000, for which ſhe generouſly agreed to take no intereſt. The money advanced to Henry IV. ſhe could never recover, being lent without adequate ſecurity: though that monarch, in a few years after the peace of Vervins, had amaſſed a great treaſure, and the Queen repreſented, in the ſtrongeſt terms, the neceſſity to which ſhe was reduced by her long wars with Spain, and the Iriſh rebellion. She even went ſo far as actually to refuſe ſubſidies when ſhe had not immediate occaſion for the money. Theſe are facts which will admit of no diſpute, and may be ſet in oppoſition to a thouſand trifling ſtories of her too cloſe attention to certain minute articles of expence. That a ſelfiſh or avaricious diſpoſition ſhould be capable of ſuch acts of generoſity, is a moral impoſſibility.

The ſecond obſervation is, that the Queen does not appear by any means ſo culpable in the affair of Davidſon as ſhe is generally repreſented. It would require a pamphlet inſtead of a paragraph,

graph, to enter into a full diſcuſſion of this queſtion: and it muſt ſuffice to ſay, that Davidſon ſeems much more the dupe of Burleigh than of Elizabeth. It is on a compariſon of circumſtances evident, that the Secretary, at the ſuggeſtion of that nobleman, diſpatched the warrant for the execution of the unfortunate Mary, without the previous knowledge of the Queen, who could not be brought to a final determination upon the matter.

That her aſtoniſhment, anger, and indignation were real, not aſſumed, appears from ſeveral circumſtances. When the fatal intelligence was communicated, her countenance, Camden tells us, changed; her ſpeech faltered; and ſhe ſtood fixed for ſome minutes like a ſtatue, till at length her paſſion vented itſelf in a violent burſt of tears. If this was diſſimulation, it muſt be confeſſed ſhe had made a wonderful proficiency in that ſcience indeed. Again, it is not pretended that the Queen's diſpoſition led her to unneceſſary acts of injuſtice and cruelty. Yet Davidſon was not only puniſhed with great ſeverity at the time, but he could never recover, in the ſmalleſt degree, any ſhare of the Queen's favor and regard; when it could no longer anſwer any end to keep up the political farce. Even Burleigh himſelf, Davidſon's principal adviſer on this occaſion, received ſuch convincing proofs of the reality

reality of the Queen's reſentment, that he gave himſelf up for loſt, and in great conſternation begged permiſſion to reſign his employments and retire to his eſtate in the country.

This plainly proves that Burleigh's advice to Davidſon was given, not with any expectation of making his court to the Queen, to whoſe ſentiments he cannot be ſuppoſed a ſtranger; but with a view to his own intereſt and ſecurity, which were, in this inſtance, cloſely connected with that of the public, and of which he never could be perfectly aſſured as long as the Queen of Scots was in being. We have alſo the Queen's own ſolemn aſſeveration and appeal to God, in her letter to King James on the occaſion, that this tranſaction paſſed without her knowledge or intention. She could never ſurely, ſhe affirms, be eſteemed ſo baſe and poor-ſpirited, as that if ſhe had really given orders for this fatal execution, ſhe could, on any conſideration, be induced to deny them. Though ſenſible of the juſtice of the ſentence, ſhe had determined, from motives of clemency, not to carry it into effect, and could not but highly reſent the temerity of thoſe who had diſappointed her merciful intentions. Upon the whole, it appears that the miniſters of Elizabeth, Burleigh, Walſingham, and Leiceſter, to whom the death of the Queen of Scots was "a conſummation devoutly to be wiſhed," not being able

able to bring Elizabeth to a firm and ſettled reſolution on that point, ventured to encourage Davidſon to ſend off the warrant for execution without her knowledge: hoping, perhaps, that ſhe would not in her heart be much diſpleaſed with their preſumption, or, at the worſt, in conſequence of the ſnare laid for the unfortunate Secretary, it was foreſeen, that the chief weight of the Queen's reſentment would fall upon him: and they depended upon their own addreſs and the degree of royal favor they enjoyed, to ſcreen them from any violent or laſting effects of the Queen's diſpleaſure. If it can be ſuppoſed that the Queen herſelf was a party in this plot againſt Davidſon, it muſt be allowed, that her conduct, in this inſtance, was in the higheſt degree diſgraceful, barbarous, and unjuſt. But ſo far as a judgment of her diſpoſition can be formed, from exiſting documents, ſhe was not capable of ſuch a degree of depravity and deceit; nor is there any ſufficient ground for charging her with ſullying, by an action of ſuch complicated baſeneſs, that illuſtrious character, to which the world has ſo long offered its voluntary tribute of applauſe and admiration.

ESSAY

ESSAY XIX.

ON HEREDITARY SUCCESSION.

AT the firſt view, the idea of Hereditary Succeſſion appears ſo whimſical and even abſurd, that one is tempted to wonder how it could have ſo generally obtained in almoſt all civilized countries. For in the choice of perſons deſtined to hold the higheſt rank in civil communities, is it not contrary to every principle of reaſon, to lay a greater ſtreſs upon the ſingle and accidental circumſtance of birth, than upon thoſe moral and intellectual qualities which have an immediate tendency to ſecure the great ends of government, the peace, happineſs and proſperity of the community?

The current of opinion, nevertheleſs, has long ſince decided, that hereditary ſucceſſion is attended by advantages which, upon the whole, far over-balance the inconveniences to which it is liable; and we are aſſured, that a power of electing the ſupreme magiſtrate, in whatever hands it might be lodged, muſt, in all probability, be productive of ſo dangerous a degree of political diſorder and animoſity, that the poſſeſſion of

ſuch a privilege would be a great and real misfortune.

But allowing this to be true, there is another queſtion of importance to reſolve, which is, 2dly, Whether the order of ſucceſſion, eſtabliſhed in this monarchy, be that which is moſt likely to enſure the public peace and tranquillity? It is well known how ſtrong was the attachment of the French nation to their famous Salique Law, which, though the accidental occaſion of great calamities to that kingdom, appears founded on the ſoundeſt principles of legiſlative policy. And it may be remarked, that the bloody wars cauſed by the claim ſo unwarrantably advanced by Edward III. to the crown of France, and ſo unjuſtly countenanced and ſupported by the Parliament and people of England, had ſcarcely ſubſided, when the flames of civil diſcord were kindled in this country, and ſpread with wonderful rapidity, in conſequence of the abſurd prejudices originating in this ſource. Nor were they finally extinguiſhed till the laſt male deſcendant of the numerous family of Edward III. had fallen a victim to the conteſt, and the houſe and name of Plantagenet were for ever annihilated.

The heroic Prince of Wales, known by the deſignation of the Black Prince, died ſome years previous to his father, and left an only ſon, afterwards Richard II. who inherited neither the virtues

tues nor talents of his famous progenitors. By a ſeries of odious and arbitrary acts, he ſo far excited the indignation and reſentment of the nation, that when Henry Duke of Lancaſter, afterwards King Henry IV. returned from exile, to claim his paternal inheritance which had been wreſted from him by regal violence, Richard found himſelf ſuddenly deſerted by all deſcriptions of perſons, who crowded, as it were in emulation of each other, to the ſtandard of his adverſary. In conſequence of which he was ſoon reduced to the fatal neceſſity of conſenting to his own depoſition; and in a full and free Parliament, the crown was unanimouſly conferred upon the Duke of Lancaſter, as a reward due to his patriotiſm and valour. And it was quietly tranſmitted to his ſon, the victorious Henry V. at whoſe death it was placed, without oppoſition, upon the head of his infant heir, Henry VI. who peaceably enjoyed it more than thirty years. Might it not then reaſonably be imagined, that an uninterrupted poſſeſſion of half a century would have ſufficed to have given firmneſs and ſtability to a title, originally founded on parliamentary authority, and confirmed by the univerſal and joyful acquieſcence of the nation? On the contrary, however, the title of the reigning family was, in fact, ſuppoſed to be ſo palpably defective, that a growing diſſatisfaction ſeems to have per-

vaded the minds of all ranks of perſons: and when Richard Duke of York openly avowed his reſolution, "to pluck the crown from feeble Henry's head," he found the nation very generally diſpoſed to favor and ſupport his pretenſions. During the long conteſts which ſucceeded, the affections of the nation appeared invariably attached to the Houſe of York, which gained, and for three ſucceſſive reigns maintained poſſeſſion of the crown. Nothing leſs than the complicated guilt of Richard III. could, indeed, have paved the way for the reſtoration of the Houſe of Lancaſter; and it is even probable, that Henry VII. though a Prince of great abilities, could not long have retained poſſeſſion, but by a union, or rather extinction of the oppoſite claims, in conſequence of his marriage with Elizabeth, eldeſt daughter of Edward IV. and undoubted heireſs of the Houſe of York.

There had been no example of a female reign in England ſince the diſſolution of the Heptarchy; and though Henry II. ſucceeded, in right of his mother, the Empreſs Matilda, it was not till the male branches of the Norman line were totally extinct. The attachment of the nation, therefore, to this order of ſucceſſion, cannot eaſily be traced to any other, or higher ſource, than the abſurd predilection entertained in favor of the title of the Engliſh monarchs to the crown of France.

France. And the inconſiſtency was indeed very groſs, in claiming that crown, by virtue of a deſcent from the female line, whilſt the crown of England was held by the Princes of the Houſe of Lancaſter, to the excluſion of the female line: and ſo far as they relied upon the right of primogeniture, their claim was preciſely of the ſame nature with that of the Houſe of Valois in France. For Henry IV. was the immediate deſcendant of John of Ghent, third ſon of Edward III. while the Houſe of York founded their pretenſions on a deſcent from Lionel Duke of Clarence, ſecond ſon of that monarch, whoſe only daughter Philippa intermarried with Edmund Mortimer Earl of March; and by the union of the heireſs of the Houſe of March with the heir of Edmund Duke of York, fourth ſon of Edward III. the right of ſucceſſion, which was ſuppoſed to inhere in the deſcendants of the Duke of Clarence, was tranſmitted to the Houſe of York, the youngeſt male branch of the Houſe of Plantagenet. The title of the Houſe of March had, in the reign of Richard II. been expreſsly recognized in Parliament, and it is remarkable, that Henry IV. never attempted to invalidate this popular claim by any formal act of repeal or renunciation. That jealous and politic Prince well knew how dangerous it might prove, by ſuch means, to fix the attention of the public upon a ſubject ſo injurious to his

intereſts to diſcuſs. He adopted, therefore, another, and far more ſagacious mode of proceeding—by obtaining a parliamentary ſettlement of the crown on himſelf and his heirs male: thus virtually eſtabliſhing the Salique Law in England, in a mode leaſt obnoxious to the public cenſure, and which bade faireſt eventually to extinguiſh the claims of the rival family. But this wiſe meaſure did not prove ſucceſsful, for the Parliament, which enacted this important law, ſoon found the neceſſity of accommodating their own ideas to the unconquerable force of popular prejudice, and of repealing an act which laid the beſt foundation of a ſolid and permanent ſettlement.

In the ſucceeding reign, the pretenſions of Edward III. relinquiſhed at the peace of Bretigny, were revived, and Henry V. by an extraordinary concurrence of favorable circumſtances, united to his own great talents had nearly effected the final conqueſt of the French monarchy. But his death unexpectedly taking place in the midſt of his triumphs, the fortune of the war was fatally reverſed, and the Engliſh were at length diſpoſſeſſed of all their tranſmarine dominions, Calais alone excepted. Soon after the termination of this ſecond violent and iniquitous attempt, in oppoſition to the rights of the Houſe of Valois, that fierce and implacable conteſt between

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the two rival Houſes of York and Lancaſter commenced, which did not ceaſe till the Earl of Warwick, laſt of the name of Plantagenet, had fallen a victim to the jealous and cruel policy of Henry VII. and, in conſequence of the final union of claims in the perſon of Henry VIII. there no longer ſubſiſted any ground of competition. Since the acceſſion of that monarch, three centuries have nearly elapſed, and that no ſenſible inconvenience has, during that long period, ariſen from an adherence to the eſtabliſhed order of ſucceſſion, is not aſcribable to the wiſdom of the law of ſucceſſion, a very ſlight ſurvey of modern Engliſh hiſtory will ſuffice to prove.

Previous to the divorce of Henry VIII from Catherine of Arragon, the princeſs Mary, afterwards Queen, was the undiſputed preſumptive heireſs of the Engliſh crown, in conſequence of which the diſpoſal of her in marriage became a matter of the utmoſt importance to the nation. Overtures on this ſubject were, at different times, made both by France and Spain, which were happily rejected; and though on her acceſſion to the throne the liberties of the kingdom were expoſed to the moſt imminent danger, by the matrimonial connection ſhe then formed with Philip II. as ſhe fortunately died in a few years without iſſue, the evils which threatened the nation were for this time averted. The reign of

Elizabeth was diſtinguiſhed by an almoſt inceſſant ſolicitude in the Parliament and people with regard to this ſubject; a ſolicitude which diſplayed itſelf in applications to the Queen, continually repeated, to form ſuch a matrimonial union as would moſt effectually ſecure the public happineſs. And though the Queen firmly and magnanimouſly reſiſted theſe ſolicitations, with a view no doubt, in the firſt place, to maintain her own authority and independency entire; and in the next, eventually to effect an union of the two Britiſh crowns, which was apparently a favorite, if not a primary object with that great Princeſs, yet, in ſome critical moments of her life, reaſons of ſtate ſeemed to influence her conduct leſs than motives of a very different nature: and more particularly in the encouragement given to the ſuit of the Duke of Anjou; whoſe ſubſequent conduct too plainly evinced the riſque which muſt have been incurred had he met with ultimate ſucceſs. To paſs over ſome of the ſucceeding reigns, it is obvious to remark that if King Charles II. contrary to the general expectation, had not interfered as to the diſpoſal of the two daughters of the Duke of York, the moſt fatal conſequences might have enſued. Even poſterior to the Act of Settlement it is worthy of obſervation, that had our late venerable monarch died before marriage, the crown of England would

would have devolved upon Sophia Dorothea Queen of Pruſſia, mother of the illuſtrious Frederic. And how the Engliſh nation would have reliſhed ſuch a plan of government as thoſe great political reformers, the Pruſſian Huſſars, might have eſtabliſhed amongſt us by this time, it is ſcarcely worth while to examine.

From this ſlight review of facts we may infer, that it is a moſt dangerous error in politics for a country, which like England boaſts of a conſtitution founded upon the baſis of liberty, to admit the right of females to ſucceed to the crown. It is a matter of ſmall moment indeed to the inhabitants of Spain or Portugal, whether the ſceptre remains in the Houſe of Bourbon or Braganza, or whether it is ſuffered to paſs into another and a foreign family. As political happineſs amongſt them depends almoſt entirely upon the perſonal diſpoſition and genius of the monarch, they ſeem to ſtand a nearly equal chance of attaining it, whatever family may happen to acquire poſſeſſion of the throne. But in this kingdom, whoſe maxims of policy differ from all others, it is of the utmoſt importance that the claims of the reigning family ſhould reſt entirely upon parliamentary authority. The antient Royal Houſe of Stuart was depoſed and baniſhed, and a very conſiderable number of Princes, who ſtood prior in the order of ſucceſ-

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ſion, were excluded in order to clear the path to the throne for them. And they have been in conſequence compelled repeatedly and formally to acknowledge the inherent ſovereignty of the people. It would be a dangerous experiment, therefore, to permit the crown to be transferred to another family deeply tinctured with foreign prejudices and principles of government. Nor is the probability of ſuch an event ſo diſtant or ideal as may be generally imagined, conſidering the great increaſe of the Royal Family ſince the acceſſion of the preſent monarch. For were the marriage of the Prince of Wales to take place, and daughters only to ariſe from ſuch marriage, according to the exiſting law of ſucceſſion, the eldeſt daughter of his Highneſs, in whatever part of the world ſhe might be ſettled, or to what prince or private ſubject ſoever ſhe might be united, without an expreſs act of excluſion, would become Queen of England.*

It is eaſy to imagine a variety of ſimilar caſes, by which the imperial crown of theſe realms might be tranſmitted from family to family, as private eſtates are ſeen to do every day, under

* Since this Eſſay was written, the event of which the public were thus fore-warned has taken place, and the daughter of the Prince of Wales is at the preſent moment preſumptive heireſs to the Britiſh crown, with a ſtrong probability of eventually ſucceeding to the throne.

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the operation of the ſame general law of inheritance. In order to eſtabliſh a laſting remedy for this great political defect in our Conſtitution, nothing would be ſo effectual as a revival of the wiſe and ſalutary Act of Henry IV. a new Act of Settlement, limiting the ſucceſſion of the crowns of Great Britain and Ireland to the heirs male of his Majeſty now reigning; and this muſt be deemed a juncture peculiarly favorable to ſuch limitation, as it is not in any degree probable that the Princeſſes of the Royal Houſe now living can receive any the remoteſt degree of injury from it.

To this propoſition it may be objected, 1ſt, That as the monarchy has ſubſiſted ſo long, and flouriſhed ſo greatly under the preſent form, it would be raſh and unadviſable to make important innovations upon ſpeculative conſiderations. At leaſt, as there is no immediate proſpect of danger, there can be no immediate neceſſity for alteration.

In anſwer to this argument, it is enough that we know the long and bloody conteſts between the two great rival Houſes of York and Lancaſter originated from this ſource. We know that ſince the termination of thoſe fatal diviſions, we have at various times, and in divers inſtances, been expoſed to the moſt imminent danger, by an abſurd attachment to the ſame antiquated and impolitic maxim. We know that by an obſtinate

ſtinate adherence to it, the crown may, in the ſpace of a very few years, be transferred from the preſent Royal Family, into the poſſeſſion of a prince who may be an utter ſtranger to our laws, language, and conſtitution, and to whom the native Princes of the land would be objects of perpetual jealouſy and averſion. And allowing the danger not to be immediate, wherefore are we to wait till it becomes imminent and urgent before we attempt to apply the remedy? In political, as in private life, the feelings cannot be ſet in oppoſition to the underſtanding, without experiencing a very ſenſible inconvenience. If, according to the dilatory maxims of theſe cautious politicians, we were to abſtain from applying a remedy till the danger became near and preſſing, and a bill of excluſion, or ſome meaſure equally violent, were then to be propoſed, it is evident, that the feelings of the people would be powerfully intereſted in favor of the particular individual, againſt whom that ſpecific meaſure ſhould be directed. And it would certainly be regarded as a ſpecies of perſonal injuſtice, to which the moſt important conſiderations relative to the public welfare would ſcarcely be thought to give a ſufficient ſanction.

2dly, It may poſſibly be objected by ſome, that the perpetuation of the royal dignity in the ſame family, muſt have a tendency to impreſs upon

upon the minds of the people a ſuperſtitious awe and reverence for the perſon of the monarch; and ultimately to revive and foſter the long exploded notions of indefeaſible right, paſſive obedience, non-reſiſtance, and that long train of abſurdities which ſeems naturally to flow from the idea, ſo readily embraced by the vulgar, that the perſon of the Chief Magiſtrate is, in ſome peculiar ſenſe, ſacred and inviolable. But however diſpoſed to reſpect an objection, ariſing from a jealous attachment to the principles of liberty, this apprehenſion ſeems ſo far-fetched and fanciful, that it can ſcarcely be deemed entitled to a ſerious anſwer. Would the objector really be willing to incur all the inconveniences, ſo obviouſly reſulting from a transfer of the crown to a new and foreign family, for the poſſible advantage of fortifying the minds of the people againſt abſurd and obſolete prejudices? If ſo, he is a bad ſpeculatiſt indeed! Fortunately, the preſent race of Princes muſt neceſſarily found their authority upon the baſis of civil and religious liberty: and as long as the memory of the Revolution is preſerved, ſo long muſt it be felt and acknowledged, that the genius of our Conſtitution is irreconcileably at variance with the ſpirit of deſpotiſm. If, therefore, an uninterrupted ſucceſſion of Princes of the Brunſwick line were to fill the Britiſh throne for centuries to come, the

the doctrine of an indefeaſible hereditary right could receive not the faintest countenance from it. Public utility would ſufficiently account for the eſtabliſhment of the general law, and where mankind are allowed perfect freedom of inveſtigation, it is impoſſible that any well founded rational ſentiment, univerſally received, can ever be ſuperſeded by an opinion at once falſe, abſurd, and ridiculous.

ESSAY

ESSAY XX.

ON THE GOVERNMENT OF INDIA.

"LES hommes & les affaires ont leur point de perſpective," ſays the Duc de la Rochefoucault: and he who ſurveys from this point the intereſting ſcenes of public life, is as a man ſtanding at a due diſtance from a magnificent edifice, who views it to far greater advantage than the workmen placed on the ſcaffolding. "Il y a dans tous les etats," ſays the late King of Pruſſia, "un nombre de citoyens gens ſenſés qui loin du tumulte des affaires, les enviſagent ſans paſſion, & en jugent par-là même ſainement tandis que ceux qui tiennent en main le gouvernail, ne voient les objets qu'avec des yeux faſcinés." The candid and generous acknowledgement of this great monarch may, therefore, ſerve as an apology for the general remarks now about to be offered on the two celebrated Bills for the better Government of India; the firſt of which was preſented by Mr. Fox, then Secretary of State, to the Houſe of Commons, November, 1783, and the latter, which eventually paſſed

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into a law, by Mr. Pitt, early in the year 1784. The univerſal clamor and national alarm excited by the Bill introduced by Mr. Fox, are yet recent in our memories: and ſo violently inflamed were the paſſions of men in general, throughout the whole kingdom, on that memorable occaſion, that the Bill, whatever might be its demerits, was certainly condemned by the multitude, with very little attention to the dictates of equity or juſtice. It muſt however, be acknowledged, that a great majority of that claſs of men diſtinguiſhed by the King of Pruſſia by the appellation of "les gens ſenſés," and who were in general very far from being inimical to Mr. Fox, regarded this famous Bill as a meaſure highly unconſtitutional in its nature, violent in its operation, and dangerous in its tendency. By a conciſe analyſis of the leading principles of this Bill, it will be eaſy to diſcover on what appearances of reaſon and truth this judgment was founded.

It is well known that the finances of the Eaſt India Company were, at the concluſion of the war, terminated by the Treaty of Paris in 1783, in a ſtate of great confuſion and embarraſſment. As the territorial acquiſitions of the Company, however, comprized ſome of the richeſt and moſt extenſive provinces of Hindoſtan, yielding an annual revenue of ſeveral millions ſterling, it were evident injuſtice and abſurdity to conſider

der them merely in the light of mercantile adventurers. They were not only traders to India, but princes of India. The long and dangerous wars in which they had been ſucceſſively involved had, indeed, exhauſted their treaſures, and reduced them to a ſtate of temporary diſtreſs. But with that indulgence which they had in ſuch circumſtances a right to expect, and which had been, on former occaſions, granted, there was no reaſonable ground to doubt, but that they would, eventually, be able honorably to fulfil their engagements with the government at home; and that their reſources were, upon the whole, fully adequate to the diſcharge of that heavy load of debts and incumbrances which they had unavoidably contracted; and which, if we conſider the great and ſucceſsful exertions made by the Company, it muſt be allowed, bore no proportion to the enormous expenditure of Great Britain during the ſame period. The Company, nevertheleſs, in conſequence of their inability to make good their payments into the Exchequer at the regular and ſtated times, were repreſented as in a ſtate of actual bankruptcy; and, agreeably to this idea, Mr. Fox preſented to the Houſe of Commons a Bill ſuſpending the Charter of the Company for four years, veſting in the hands of ſeven commiſſioners all the powers, privileges, and property, both real and perſonal,

belonging to the Company—Urging, as a farther juſtification of this violent procedure, the political enormities perpetrated by the ſervants of the Company in the conquered provinces of India; and alleging, that theſe intolerable oppreſſions, whether they had received the ſanction of the Company or not, plainly demonſtrated them to be unequal to the arduous taſk of governing thoſe vaſt and remote poſſeſſions.

There were two very different points of view in which this meaſure could not fail to be conſidered; and in each it appeared calculated to excite the higheſt alarm. To deprive the firſt commercial Company in Europe not only of its political powers, but of its commercial rights; not only to reduce them from the rank of princes to their original capacity of merchants, but virtually to impute to them an utter inability to underſtand, or to conduct even their own commercial intereſts—intereſts which, before their ill-ſtarred ambition led them to aſpire to the conqueſt of kingdoms, had been proſecuted with ſuch unparelleled induſtry and ſucceſs; this, certainly, could not fail to excite univerſal aſtoniſhment. Mr. Fox's Bill was regarded not ſo much in the light of a commiſſion of bankruptcy, as of lunacy. There appeared ſomewhere an abſolute want of common ſenſe. If the Directors of the Eaſt India Company, conſidered as merchants, were

were really incompetent to manage their own mercantile tranſactions, they muſt certainly be deemed perſons devoid of natural underſtanding. If, on the other hand, no deficiency of this nature was pretended, in what light could the proceedings of the Houſe of Commons be regarded, in transferring the management of the affairs of a company of merchants to a committee of guardians and truſtees? This, in itſelf, perhaps, was only ridiculous; but as the breach of a public and ſolemn engagement, as the unprovoked violation of a CHARTER, it excited juſt and general alarm. And the diſcontent of the public was wrought up to the higheſt pitch of indignation, when they reflected that the ſeven Commiſſioners, upon whom the entire political authority and commercial patronage of the Company devolved, were zealous partizans of the exiſting adminiſtration; that this Commiſſion for the Government of India, as to its duration, was to be rendered wholly independent of the authority of the Supreme Executive Magiſtrate; that it therefore might, and unqueſtionably would, be converted into a mere engine of ſtate; that the Commiſſion would, in all probability, be renewed from time to time, till the renewal became a mere matter of form; that the power and patronage neceſſarily connected with it were ſo prodigious, that a miniſter who could confide in its ſupport, might, with ſome propriety, addreſs his ſovereign in the lan-

guage of Stephano in the Tempeſt, "You ſhall be the King of the Iſland, and I will be Viceroy over you." It appeared to be a palpable violation of one of the moſt eſſential principles of the Engliſh Conſtitution—the indiviſibility of the executive power. And if a parliamentary Commiſſion for the Government of the Eaſt Indies were once eſtabliſhed, why not another commiſſion for the Government of the Weſt Indies? of America? of Ireland? Scotland? or England itſelf? till at length the King of Great Britain would ſink into the contemptible and ridiculous ſituation of a King of the Mahrattas. It is far from being a neceſſary conſequence, however, of theſe poſitions, that Mr. Fox, of whoſe political rectitude as well as talents the public have received the moſt ſtriking proofs, is chargeable with the guilt of deliberately projecting a plan to ſubvert the conſtitution, in order to elevate his own power and authority upon the ruins of it. No one is ignorant how ingenious and ſucceſsful the human mind is in impoſing upon itſelf: and candor requires us to believe, that Mr. Fox imagined this celebrated Bill, which, as it regarded India, had, indeed, a juſt claim to the higheſt praiſe, to be not only proper, but indiſpenſably neceſſary at the criſis in which it was brought forward. He viewed it, doubtleſs, "avec des yeux faſcinés." The public, however, had nothing to do with the

the rectitude of Mr. Fox's intentions: and when the real tendency of the Bill, as it regarded England, was perceived, the unanimous oppoſition which it had to encounter was, in fact, only the more honorable to the nation, becauſe it had the ſanction of a miniſter whoſe political principles and ſplendid talents were the ſubject of univerſal applauſe and admiration.

The fall of the Bill was ſucceeded by the fall of the miniſter, and a new Bill for the Government of India was immediately introduced by his ſucceſſor, Mr. Pitt, upon principles very different; and, upon the whole, much leſs exceptionable than the former; though by no means ſuch as could be pronounced free from even palpable imperfection. This, however, may doubtleſs, with far greater probability, be aſcribed to the extreme difficulty of deviſing a more acceptable or eligible plan, in the critical and embarraſſing circumſtances in which the miniſter was placed, than to ſuch a deficiency of diſcernment, or exceſs of partiality, as concealed from his view the manifold defects of his own ſyſtem. A radical reform in the Government of India was, on both ſides, allowed to be abſolutely neceſſary. The abſurdity of permitting a company of merchants to exerciſe an independent ſovereignty over thoſe extenſive and diſtant regions, became more and more evident: and the miſchiefs reſult-

ing from the eſtabliſhment of this "*Imperium in Imperio*" were ſenſibly felt, and univerſally acknowledged. The power and patronage of this formidable body, which was itſelf in a ſtate of perpetual fluctuation, and compoſed of men promiſcuouſly aſſociated, of various deſcriptions, and of very different political connections, were never, indeed, ſyſtematically employed in oppoſing the authority or in counteracting the deſigns of the ſupreme executive power of the ſtate. But the ſtate not poſſeſſing, or not exerciſing any right of ſuperintendance or controul over theſe royal merchants, they frequently acted in a manner very inconſiſtent with the general intereſts of the empire. And, in numerous and ſtriking inſtances, the civil and ſacred inſtitutions of the provinces under their dominion, eſtabliſhed by the preſcription of ages, were openly violated, and their tranquillity and proſperity, without the leaſt ſcruple, ſacrificed to the ambition, the avarice, or, at beſt, the ignorance and preſumption of the local agents of the Company; who, in the capacity of governors, exerciſed with impunity the moſt intolerable ſpecies of deſpotiſm—the wretched natives, the victims of their tyrannic caprice, being preciſely placed in the deplorable ſituation deſcribed by the Roman hiſtorian, "Subjectos tanquam ſuos, viles ut alienos."

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By transferring this ſovereignty, according to the plan of Mr. Fox, from the Company to a permanent Committee of parliamentary appointment, a ſyſtem far more favorable to the happineſs of India would, in all probability, have been eſtabliſhed: but that political monſter, the "Imperium in Imperio," the fourth eſtate, as it was by ſome emphatically ſtiled, would not only have continued to exiſt, but would have acquired a prodigious acceſſion of force and vigor. For as the whole power and patronage of the Company were, by this plan, to have centered in a permanent body, compoſed of a very ſmall number of perſons ſelected from, and attached to a particular and powerful political party, who can heſitate to believe, that their utmoſt influence would immediately have been exerted to ſupport the credit and authority of that party? And who is ſo ignorant of human nature, and of human life, as to imagine that the acts even of the legiſlative aſſemblies would not have been, in a very ſenſible and dangerous manner, biaſſed by means of this influence, and the conſtitutional authority of the executive magiſtrate in the ſame degree weakened and impaired? Of this the nation was fully ſenſible; and againſt this evil Mr. Pitt was obliged carefully to guard. But at a time when the public apprehenſions reſpecting the increaſe of the

influence of the crown had not ſubſided; when various meaſures had been actually adopted in order to leſſen the weight of that influence, which, according to the ſolemn declaration of the repreſentatives of the people, "had increaſed, was increaſing, and ought to be diminiſhed," Mr. Pitt could not, with any degree of conſiſtency or ſafety, bring forward a plan which ſhould have for its avowed or apparent object the exaltation or re-vivification of it. The political authority, however, of which the Company was at all events to be diveſted, muſt, of courſe, be transferred ſomewhere; and the grand difficulty conſiſted in diſcovering a medium between the two extremes, and in placing this power, by an extraordinary effort of political dexterity, in a poſition ſo curiouſly poiſed, that it ſhould neither unſeaſonably add to the regal influence, nor unconſtitutionally detract from the regal authority. Mr. Pitt encountered this embarraſſment with trembling indeciſion. Leaving to the Company the general direction of their commercial concerns, and not venturing openly to inveſt the crown with that power of which he propoſed to diveſt the Company, he eſtabliſhed a Board of Commiſſioners, nominally independent of the crown, which was empowered to exerciſe the right of controul and ſuperintendance reſpecting all matters relative to policy or revenue. The

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members of this Board, however, being appointed by the crown, and removeable at the pleaſure of the crown, it is evident that the crown itſelf was, in effect, poſſeſſed of that authority which the Bill profeſſed to transfer to the Board: in this reſpect forming a direct contraſt to Mr. Fox's Bill, which, by a ſpecies of political mockery, made the Commiſſioners nominally reſponſible to the crown, but really independent of it in conſequence of the permanency of their commiſſion.

So obſcurely and ambiguouſly, however, was the extent of the new parliamentary Commiſſion defined by the act, that perpetual diſputes and altercations ariſing between the two Boards of Direction and Controul, Mr. Pitt thought it neceſſary, in the ſeſſion of 1788, to bring in his famous DECLARATORY BILL; which, under pretence of aſcertaining the ſenſe and meaning of the former act, enlarged the powers and extended the juriſdiction of the Board of Controul by a declaration ſo ample, as to leave the Company ſcarcely a ſhadow of authority remaining; and the Board of Controul, or rather the crown, may from that period be conſidered as really and truly inveſted with the undivided ſovereignty of India. This remarkable declaration gave an unlimited ſcope to the moſt poignant animadverſions on theduplicity and deceit of Mr. PITT; who thus con-

trived, by insidious means, to possess himself of that power which Mr. Fox had, from motives of state policy fairly and expressly avowed, openly and forcibly resumed. It is possible, however, that Mr. Pitt meant originally no more than he professed; that he then deemed the power of restraint sufficient for the great purpose of reforming the abuses of the Indian system of government; and that he gradually became convinced, by experience, of the necessity of vesting an active and efficient authority in the Board. And certainly, the Declaratory Act, or something equivalent to it, was obviously wanting to constitute a regular or consistent plan. It was, therefore, in itself a real and very necessary improvement of the general political system. The mode of effecting this great and essential change may, indeed, be justly deemed highly exceptionable. And it is much to be regretted, that Mr. Pitt had not sufficient magnanimity originally to propose, or Parliament sufficient resolution to adopt a system in all respects open, explicit, and decisive. The principles of the constitution, and the sound dictates of wisdom and policy, appear to have required the establishment of a Supreme Council of India, avowedly acting under the immediate authority of the crown, to whom the entire direction of the political affairs of India should be consigned. The President of India would,

would, upon this plan, openly act as minister for that department; and in order to establish an honorable as well as useful medium of intercourse with the East India Company, a certain proportion of the Members of the Council might be chosen from the Court of Directors for the time being. The unity of the executive power would, by this means, be completely restored; and by the exertion of the same energy throughout the whole extent of empire, the harmony and happiness of the whole would be most effectually established and secured. To this plan it will undoubtedly be objected, that it must increase, in a very dangerous and alarming degree, that influence of the crown, which has been, of late years, so much the subject of complaint and apprehension; and which, with much labour and difficulty, has been somewhat diminished indeed, though far from being as yet restrained within the proper limits. To this it may be answered, that there is a constitutional as well as unconstitutional influence of the crown; and whatever degree of influence is necessarily connected with the undivided exercise of the executive authority, is a species of influence truly constitutional. If the acquisition of even this constitutional addition of influence, however, be thought dangerous, as it reasonably may, are there not various modes of reducing the regal influ-

influence highly beneficial and laudable, without violating the unity of the executive power, and which would effectually ſerve to counter-balance this great acceſſion of authority? Does not the reform of the parliamentary repreſentation come within this deſcription? Are there no ſuperfluous and lucrative ſinecures that might be ſafely curtailed or entirely aboliſhed? Is it impoſſible to limit the number of placemen and penſioners in the Houſe of Commons, or even, were it judged neceſſary, to exclude them altogether? Muſt we relinquiſh as hopeleſs the idea ſo much cheriſhed by the patriots of former days, of effecting a reduction of the preſent formidable ſtanding army? Is there no proſpect of a gradual diminution of the public debt, which muſt, of courſe, be attended with a proportionable diminution of the regal influence? Surely there are conſtitutional methods, very eaſily diſcoverable, if by the wiſdom of the legiſlature deemed expedient, by which the unconſtitutional influence of the crown may be ſufficiently reduced, without depriving the crown of any conſtitutional prerogative, for the purpoſe of eſtabliſhing an unconſtitutional influence in any other quarter. The fact is, that the crown, at the preſent moment, actually poſſeſſes the ſubſtance of the authority contended for. And the danger ariſes chiefly from its not being ſufficiently known,

known, or openly acknowledged to be ſo. And if the plan now propoſed, or any thing ſimilar to it, be at any future period adopted, a moſt advantageous opportunity will preſent itſelf for requiring in return certain conceſſions from the crown highly favorable to liberty; which the artful and inſidious, or to ſpeak in ſofter terms, the gradual and imperceptible manner in which the crown has been inveſted with this authority has hitherto unfortunately precluded.

ESSAY XXI.

ON THE CONSTITUTIONAL ESTABLISHMENT OF A REGENCY.

HAPPILY there are few queſtions of real importance and general concern which do not admit of being ſimplified; or of being ſo conciſely and clearly ſtated as to enable any man, not palpably deficient in knowledge or underſtanding, with a mind candid and unprejudiced, to form a true judgment concerning them. The intereſting queſtion reſpecting the Eſtabliſhment of a Regency, during the incapacity of the reigning ſovereign, which at a recent period engroſſed the public attention, appears to be of this deſcription. Diveſted of the pomp of declamation and the gorgeous glare of eloquence, and reduced to the level of plain truth and common ſenſe, no queſtion can be eaſier of ſolution.

In order to decide upon this ſubject with propriety, two conſiderations obviouſly preſent themſelves to our notice and enquiry.

1ſt, Whether any poſitive law exiſts, or any precedents of ſufficient authority can be adduced to determine what was the legal and conſtitutional

tional mode of proceeding in the late extraordinary circumſtances? And if not,

2dly, What deciſion in this caſe muſt be pronounced moſt agreeable to the principles of the Engliſh government, the analogy of the conſtitution, and moſt likely to ſecure the public welfare and happineſs.

It is univerſally admitted, that no law exiſts by which proviſion is made for preſerving, unimpaired, the energy of the executive power during the total incapacity of the reigning ſovereign. Recourſe muſt therefore be had to precedents. But a very ſlight knowledge of Engliſh hiſtory will ſuffice to ſhow, that there are no precedents to be found which can, or ought to be conſidered as of the leaſt authority, or which were in any degree applicable to the late alarming criſis. The precedent moſt relied upon, occurs in the reign of Henry VI. who ſucceeded his father while yet in his infancy. No Regency having been previouſly appointed by legiſlative authority, the two Houſes of Parliament took upon them to confirm the late King's verbal nomination of the Dukes of Bedford and Glouceſter to the government of the realms of France and England; reſtraining, however, the authority of the latter, upon whom they conferred the title of Protector only, by ſuch limitations as they deemed proper and expedient. But are the irregular

gular proceedings of a Parliament, convened almoſt four hundred years ago, in a dark and barbarous age, before the principles of civil government were underſtood, or thoſe maxims of policy which are moſt eſſential to a free conſtitution were eſtabliſhed, to be elevated to the rank of a conſtitutional precedent, and after the lapſe of ſo many centuries, to be now, for the firſt time, regarded as poſſeſſing the authority and force of legal obligation?

The proceedings of that aſſembly may indeed be properly exhibited to our view, not as a precedent to be followed, but as an example to be deprecated and ſhunned. For, had the Duke of Bedford, the King's elder uncle, a prince of uncommon talents and unblemiſhed integrity, been recognized regent of the realm, with full and undivided powers, in all human probability the fatal diſaſters of that unfortunate reign—diſaſters reſulting from that daring ſpirit of faction and unprincipled ambition which the protector had not ſufficient authority to repreſs—would have been effectually prevented: and thoſe dreadful ſcenes of national anarchy and ſlaughter had never been exhibited, which ended in the downfal and ruin of the Royal Houſe of Lancaſter, and in the elevation of the Houſe of York; though in conſequence of the neceſſary and beneficial revolution, effected by Henry IV. and ſanctioned by national

national authority, that monarch and his deſcendants poſſeſſed a title to the crown not inferior in validity to that of the Houſe of Brunſwick.

But the proceedings of the Convention in 1689, which declared the abdication of King James, and the conſequent vacancy of the throne, and which placed the crown of theſe realms on the head of the Prince of Orange, were alſo urged for the purpoſe of demonſtrating the proper and legal extent of parliamentary authority. If a convention can elect a King *a fortiori*, a parliament may elect a Regent. But this is mere ſophiſtry. It is evident that no political ſyſtem, or conſtitution, can ever make proviſion for caſes which imply its previous ſubverſion. The Revolution of 1688 furniſhes, doubtleſs, the nobleſt of all precedents. It exhibits the glorious example of a brave and free people, riſing up as one man to wreſt the ſceptre of government from the hands of a tyrant. At that period, the ends for which all juſt government was originally inſtituted, could only be ſecured by a violation of the regular and eſtabliſhed forms of the conſtitution. Though the ſofter term *abdication* was adopted by way of indulgence to the unhappy prejudices then too prevalent, this pretended abdication was really and truly a depoſition: and under colour of the legal maxim, "Nemo eſt hæres viventis," the claim of the heir apparent

was wisely and effectually barred, and the Prince and Princess of Orange were, in the name of all the people of England, declared King and Queen. Whoever attempts to justify these proceedings, by an appeal to the letter of the law and the forms of the constitution, will find himself miserably embarrassed. The political rectitude of these acts rests upon much higher grounds; upon the basis of the public happiness and of the common rights of human nature. The unrivalled excellence of the English constitution is a question which enters not into the dispute; and in the regular course of government, the wisdom of the maxims on which it is founded is strikingly apparent. But if the sacred and unalienable rights, which this constitution is intended to guard, be violated on the part of the monarch, a temporary violation of its forms becomes indispensably necessary on the part of the people, in order effectually to protect and ultimately to restore it. But how is this memorable precedent applicable to the late extraordinary situation of public affairs? Will any one pretend that it was necessary, in the case now under consideration, to violate the forms of the constitution in order to preserve its essence, and to re-establish it upon a more permanent basis? No; the object was merely to establish a constitutional precedent in a case which, happily for the nation, had not

not occurred for ages, but which certainly did not require or admit of any deviation from thoſe wiſe and ſalutary political maxims which have long been juſtly regarded as the bulwarks of the Engliſh conſtitution. And this renders it proper,

2dly, To determine what mode of procedure in theſe circumſtances was, in fact, moſt agreeable to the principles of the Engliſh government, to the analogy of the conſtitution, and moſt favorable to the public ſafety and happineſs. The ſuſpenſion of the executive power is a caſe unknown even in contemplation to our conſtitution; and for which no proviſion therefore is or can be made. An inter-regnum in this kingdom is a ſuſpenſion of political exiſtence. If, then, the ſupreme magiſtrate is by any means incapacitated from the diſcharge of the functions of royalty, a ſucceſſor muſt immediately be ſubſtituted, or the whole machine of government is deranged and becomes abſolutely motionleſs. This may either be done by regular or irregular means. At the Revolution the means were doubtleſs irregular, though, in that particular inſtance, indubitably neceſſary. We were lately called upon to ſupply the vacancy occaſioned by the incapacity of the reigning ſovereign by regular means. And, certainly, the only conſtitutional mode of reſtoring the energy of the exe-

cutive power was by a parliamentary recognition of the right of the Prince of Wales, as the immediate heir of the crown, now as it were *in abeyance*, to assume the Regency of these realms during the continuance of such incapacity. By this means the constitution would be effectually protected from injury; and however distressing to our feelings the circumstances of any particular case may be, the general interests of the community can never be essentially affected. Unfortunately however the Parliament, prompted, doubtless, by that love of power so natural to the human mind, and perhaps deceived by the specious semblance of acting upon principles favorable to abstract ideas of political liberty, and of the nature and origin of civil government, peremptorily denied the existence of any such right; and even proceeded to the dangerous extremity of voting that, in all cases of suspension of the executive power, they themselves possessed an inherent right of supplying the vacancy by the choice of a Regent, and of restraining, by such limitations as they deemed expedient, the exercise of his authority. This vote cannot but be regarded as an act of hostility committed by the legislative upon the executive power of the state, and as concealing under the mask of loyalty more of a republican tendency, than any parliamentary measure since the termination of the civil wars in the

the laſt century. Numerous are the pernicious conſequences which may with apparent probability be conceived to reſult from it. It is evident that no ſtreſs ought to be placed in our general reaſonings upon this ſubject, on the probable ſhortneſs of the term during which the incapacity of the ſovereign may ſubſiſt. If the principles adopted by the two Houſes of Parliament are juſt and conſtitutional, they are applicable to all caſes of incapacity whatever may be the term of its duration. With reſpect to the late unhappy caſe, nothing could be more uncertain than the recovery of the King, nothing more uncertain than the time of that recovery. It was no improbable ſuppoſition that the malady of the King might have terminated only with his life; which, in the courſe of nature, would not arrive at a period for many years. If, then, the two Houſes of Parliament were empowered to elect a Regent during this interval, and to impoſe upon him at their pleaſure ſuch limitations as to them might appear proper, it is evident that the balance of the conſtitution muſt have been deſtroyed. For the executive power would in ſuch caſe become entirely dependent upon the legiſlative power, which would not fail, upon one pretence or another, gradually to circumſcribe and curtail the authority of this phantom of royalty, till he was reduced to as inſignificant a cypher as a

King of Poland or a Doge of Venice. And the moſt eſſential alterations in the conſtitutional form of government might be made, while the royal prerogative remained in this ſtate of dormant inactivity, expoſed to the moſt formidable attacks, and incapable of the leaſt reſiſtance. In ſuch a ſituation of public affairs the government might ſtill retain the name of a monarchy, but it would, in fact, be converted into a republic: and a bold, artful, and popular miniſter would in theſe circumſtances be little leſs than deſpotic. Or, in caſe of an equal diviſion of parties, the ſtate muſt be torn with internal convulſions: and as no power would exiſt poſſeſſed of ſufficient weight and energy to reſtrain the violence of contending factions, the moſt dreadful conſequences, under ſo weak and diſtracted a government, might be expected to enſue.

Such, hiſtory informs us, was actually the ſtate of the kingdom under the reign of Henry VI. and ſuch the precedent which the enlightened wiſdom of the preſent age was recently called upon to adopt. It is alleged, indeed, that delicacy to the reigning ſovereign ought to deter us from conſigning, to any repreſentative of royalty, a greater ſhare of authority than the neceſſity of the caſe abſolutely demands: and that a Regent, inveſted with full powers, might act in a manner which would prove highly unacceptable to the monarch,

monarch, ſhould he be reſtored to a capacity of reſuming the powers of government. Delicacy to the reigning ſovereign! The conſtitution knows no ſuch term as delicacy; nor can this argument be allowed the leaſt weight, when oppoſed to ſuch conſiderations as are connected with the public utility and advantage. Granting that the Regent ſhould adopt meaſures different from thoſe of the ſovereign, is there any reaſon for believing, *a priori*, that the Regent will be endowed with leſs political ſagacity, or that he will be leſs diſpoſed to employ it for the public benefit than the ſovereign? Admitting the nation, under the auſpices of Mr. Pitt, to be governed with wiſdom and ability, ought the conſtitution to be ſacrificed to Mr. Pitt's continuance in office? or is Mr. Pitt the only man in the kingdom entitled to the public confidence? If Mr. Fox was juſtly accuſed of encroaching upon the prerogative by an attempt to eſtabliſh a permanent council for the government of India, independent of the crown, is Mr. Pitt not only to eſcape cenſure, but to be admired and applauded for his efforts to eſtabliſh a parliamentary Commiſſion for the government of the whole empire?

Again it is urged, with more appearance of plauſibility, that a delegated authority, when from any cauſe the exerciſe of it becomes im-

practicable, muſt revert to the original ſource of authority—the PEOPLE; who are then at liberty, in their collective capacity, to determine upon ſuch meaſures as public utility may appear to them to demand. Undoubtedly, all juſt government reſts ultimately upon the baſis of public utility: but the very queſtion to be decided in this caſe is, whether public utility be promoted by a deviation from thoſe maxims of policy which have been found, by the experience of ages, moſt conducive to public order and happineſs. The unity of the executive power, its independency, and irreſponſibility, are the barriers by which our monarchical form of government is ſecured and protected. But after the arbitrary appointment of a Regent, the abject object of monarchical degradation, ſeated in mock majeſty, and exiſting only by the breath of parliamentary omnipotence, what reſemblance would remain of that glorious political fabric ſo long "the praiſe and envy of the nations round?" Certainly, the ſame powers and prerogatives which are uſeful and neceſſary in a King, are equally uſeful and neceſſary in a Regent; and if the executive authority of the ſtate is exerciſed agreeably to the ſpirit of the conſtitution, it matters little whether the ſupreme magiſtrate be diſtinguiſhed by the appellation of King, Regent, Protector, Stadtholder, or Gonfalonier.

But

But there is another conſideration of very ſerious moment, which neceſſarily ariſes in the diſcuſſion of this ſubject, viz. That the election of a Regent may be the means of exciting the moſt dangerous animoſities and contentions between the two Houſes of Parliament. The hiſtory of all elective monarchies ſhews what dire effects flow from this ſource of civil diſcord. And what ground is there to expect that this country alone ſhould be exempted from thoſe evils, which, by a flagrant invaſion of the conſtitutional rights of monarchy, we raſhly and wantonly provoke?

The recollection alſo of the very peculiar and critical ſituation of this country, with reſpect to Ireland, ſhould alſo, ſurely, cauſe us to heſitate before we venture to eſtabliſh a precedent ſo dangerous, as would be the parliamentary election of a Regent veſted even with regal powers. Were the heir apparent, in the recurrence of ſimilar circumſtances, to be declared Regent of Great Britain, as a meaſure founded on a conſtitutional claim of right, Ireland would be virtually included, the conſtitutions of both countries being exactly ſimilar; and that kingdom would, no doubt, readily acquieſce in ſo equitable a deciſion. But if the Parliament of Great Britain has a right to elect a Regent, the Parliament of Ireland will, doubtleſs, think them-

themſelves entitled to claim the ſame privilege. And if, at any future period, that aſſembly, inſtigated by a ſpirit of national jealouſy and independence, ſhould refuſe to acknowledge the Regent of Great Britain as Regent of Ireland, and ſhould think proper to elect a Regent of their own, it is fair to aſk, by what ties, political or civil, the two nations would be connected? It is evident that the two monarchies would be as diſtinct, during the continuance of the two Regencies, as the kingdoms of France and Spain. Surely a principle which leads to a conſequence ſo alarming ought, by every good citizen who wiſhes to perpetuate harmony between the two countries, to be reprobated as fraught with miſchief and ruin. It would be eaſy to enumerate various other conſiderations, which, if weightier arguments were wanting, would ſufficiently demonſtrate the dangerous tendency of this unconſtitutional aſſumption of authority. But enough has been ſaid to eſtabliſh the general poſition, that pending the incapacity of the Sovereign, of the exiſtence and duration of which incapacity the repreſentatives of the nation are the ſole judges, the immediate ſucceſſor to the crown ought, upon every principle of rectitude and policy, to be recognized by both Houſes of Parliament as Regent of the realm, exerciſing, by virtue of his office, "kingly power."

ESSAY

ESSAY XXII.

ON THE NATIONAL DEBT.

AT the æra of the Revolution no National Debt exiſted; *i. e.* no debt borrowed on parliamentary ſecurity, for diſcharging the intereſt of which national taxes were impoſed and mortgaged. It is one of the moſt aſtoniſhing facts in all the records of hiſtory, that in the century which has elapſed ſince that memorable event, a debt has been contracted by the Government of this country which cannot be eſtimated at leſs than 250 millions ſterling; a ſum ſo vaſt, that it probably exceeds the whole aggregate value of the precious metals actually in circulation throughout all the kingdoms of the globe. A political phænomenon ſo extraordinary could not fail to excite the attention, and employ the ſagacity of the ableſt ſtateſmen and philoſophers, cloſely connected as it is with conſiderations of the utmoſt importance to the welfare, and even the exiſtence of the ſtate. In oppoſition, however, to the moſt confident predictions, and, indeed, contrary to every apparently reaſonable ground

ground of expectation, we find, by experience, that the kingdom is not only capable of ſuſtaining the preſſure of this immenſe load, but that it exhibits plain indications of internal vigour, and even of increaſing wealth and proſperity. That there is a point, however, beyond which the accumulation of the public debt muſt prove deſtructive and fatal, cannot be doubted; and to this general conviction we owe the late inſtitution of a permanent fund for its gradual redemption.

It is well known, that in the year 1716 Sir Robert Walpole eſtabliſhed a fund diſtinguiſhed by the appellation of the *Sinking Fund*, which was appropriated, under the authority of Parliament, to the ſole purpoſe of redeeming the National Debt, at that time amounting to about 50 millions. This was formed by the reduction of the legal rate of intereſt from 6 to 5 per cent, aided by various ſurpluſes ariſing from the different duties and taxes impoſed for the payment of the intereſts of particular loans; the whole being conſolidated into one great "aggregate fund." It is evident that a fund ſo conſtituted, if faithfully and invariably applied to its original deſtination, muſt be not only a fund continually increaſing, but a fund increaſing with a perpetually accelerated rapidity. For not only the intereſts of the ſums annually diſcharged by the original fund were to be regularly added to it,

but

but the intereſts of the ſums diſcharged by thoſe intereſts; and ſo on in progreſſion *ad infinitum*. Or in other words, the original fund was a fund continually improving at compound intereſt; and as the public debt at that period bore an intereſt of 5 per cent, a ſlight knowledge of figures will ſuffice to prove, that at the termination of a period of about fourteen years, the fund would be able to diſengage annuities equal to its own amount. Eſtimating, therefore, the original fund at one million, at the end of fifty-ſix years it would be increaſed to no leſs than 16 millions; that is to ſay, 300 millions of debt, bearing 5 per cent intereſt, would, at the expiration of this term, be totally extinguiſhed. This is indeed amazing; but as it admits of an eaſy demonſtration, it cannot, at leaſt it certainly ought not to incur the reproach ſo often caſt on the airy dreams of ſpeculative politicians. The radical idea of this plan of redemption is, it muſt be owned, ſo obvious and ſimple, as to render it eaſily conceivable that even the miniſter who eſtabliſhed it might not himſelf be fully ſenſible of its latent energies. When we conſider, however, the great abilities of Sir Robert Walpole as a financier, and his extenſive political knowledge, as well as the very able and maſterly manner in which the nature and powers of this fund were explained and defended by the miniſterial advocates

cates and writers of that time, it can ſcarcely be imagined that Sir Robert Walpole was himſelf the dupe of thoſe deſpicable arguments by which the Houſe of Commons was induced, by him, to conſent to the total alienation of the Sinking Fund, in a very few years after its firſt eſtabliſhment. The true motives which influenced the conduct of that miniſter, therefore, it may be preſumed, were the deſire of avoiding the odium of impoſing new taxes, in order to provide for current ſervices, during a time of profound peace, and a ſecret reluctance in the court to leſſen the political influence and ſecurity which the reigning family was ſuppoſed, not without reaſon, to derive from the exiſtence of a public debt of ſuch magnitude.

For almoſt half a century after the practice of alienation commenced, the attempts made to reſtore the Sinking Fund to its original ſtate were few and feeble. At length, notwithſtanding the prodigious increaſe of the National Debt, in conſequence of the wars terminated by the Treaties of Aix la Chapelle and Fontainbleau, all ideas of its nature and efficacy appeared to be totally loſt; and the whole nation, abſorbed in conteſts as diſgraceful to its reputation as injurious to its intereſts, poſſeſſed neither leiſure nor inclination to direct its views to an object, in compariſon of which the political controverſies

of

of the day appear egregiouſly trifling and ridiculous. About the year 1772, however, a private citizen, of the clerical order, but not of the eſtabliſhed church, whoſe habits and ſtudies were apparently very remote from political purſuits, once more awakened the attention of the reflecting and intelligent part of the community, by a moſt animated and maſterly "APPEAL to the Public on the Subject of the National Debt." But though it was ſcarcely poſſible, by any exertion of human ability, to diſplay the ruinous tendency of the meaſures actually purſued, or the advantages attending the reſtoration of the original plan of Sir Robert Walpole in a more ſtriking or convincing point of view, it did not immediately produce any very ſenſible effect. Every diſcuſſion relative to the management of the finances was ſuppoſed, by the generality of perſons, to be involved in darkneſs and myſtery: and the noble lord then at the helm of Government, and in the zenith of his power and reputation, affected to conſider the irrefragable demonſtrations of Dr. Price as the ingenious but Utopian ſpeculations of a viſionary writer. And not a ſingle advance was made by Lord North, in the whole courſe of an adminiſtration of near thirteen years, towards the re eſtabliſhment of the great and neceſſary plan of a permanent redemption. On the contrary, after the war with America

America commenced, the annual loans were invariably and avowedly negociated on the dangerous and desperate principle that redemption was wholly impracticable. And, in conformity to this maxim, in order to effect a trifling saving in the article of interest, that minister scrupled not to create an enormous addition of superfluous capital. In the year 1781, for instance, 12 millions were borrowed, for which the public paid precisely $5\frac{1}{2}$ per cent. interest. Had a capital been created of 12 millions, at 5 per cent. and an annuity granted, for a limited term, by way of premium, it is evident that whenever the debt came into a regular course of redemption no more would be paid by the public than was actually received; and that the high rate of interest would also greatly accelerate the progress of redemption. But the plan actually adopted by his Lordship was to grant for every 100l. subscribed 150l. 3 per cents, and 25l. 4 per cents capital stock; so that a new capital of 21 millions was created when 12 millions only was paid into the Exchequer. Supposing the 3 per cents, therefore, in the course of redemption, to rise to *par*, and under the administration of Mr. Pelham they rose considerably above *par*, a premium of nine millions must be paid by the public for the loan of twelve. That a British minister should be found rash and unadvised enough to propose so extravagant and mon-

monſtrous a plan, or that a Britiſh Houſe of Commons ſhould be induced by any arguments whatever to give it the ſanction of their approbation, muſt equally excite our aſtoniſhment and indignation.

Happily for the nation and indeed for the world in general, a change of adminiſtration ſoon ſucceeded, and after a ſhort interval Mr. Pitt was placed at the head of the finances. In the year 1786 the new miniſter had the merit of forming a plan which ſoon paſſed into a law, for appropriating one million annually to the redemption of the public debt. The plan of Mr. Pitt is, indeed, radically and eſſentially the ſame with that firſt projected by Sir Robert Walpole, and revived by Dr. Price. In ſome important circumſtances, however, it differs, and appears to much advantage in the compariſon. In the firſt place, the money appropriated to the purpoſe of redemption is regularly iſſued from the Exchequer at ſtated times, and conſigned to the management of Commiſſioners, who are obliged by law upon the uſual transfer days to employ it in the purchaſe of ſtock, agreeably to certain rules of proportion eſtabliſhed by the act. Thus the Houſe of Commons hath as it were erected a barrier againſt its own encroachments. The money once paid into the hands of the Commiſſioners becomes a kind of ſacred depoſit; and

though the legiſlature may doubtleſs by a new act diſcontinue the payments from the Exchequer, or even compel the Commiſſioners to refund or alienate what has been already appropriated, yet this would be an effort of political violence which could not fail to excite a very general alarm and a very powerful oppoſition. And a miniſter who would not ſcruple to propoſe an alienation of a ſum, ſuch as the public exigencies might happen to require, of which he had himſelf the cuſtody, and which preſented every moment the moſt tempting opportunities of ſeizure, would find himſelf in very different circumſtances when the transfer had been actually made, and his purpoſe could not be effected, unleſs a fund, ſolemnly appropriated to a ſervice of the higheſt importance, were openly and publicly plundered.

Another capital improvement of the original plan conſiſts in the power veſted in the Commiſſioners to advance money during war by way of loan to the Government. This regulation propoſed by Mr. Fox is attended with a double advantage; as it obviates the principal inducement to alienate the Sinking Fund, ariſing from an urgent neceſſity for a ſupply of money during a ſeaſon of public danger and diſtreſs; and as it muſt have a powerful tendency to reſtrain the rate of intereſt on public loans within moderate

and

and reaſonable bounds. Various other particulars, though of inferior importance, might be ſpecified, in which the plan of Mr. Pitt may juſtly claim a degree of merit ſuperior to that of his predeceſſor. Notwithſtanding, however, the very general approbation with which it was received, a moſt vehement attack was immediately made upon it from a quarter, whence ſo rude an aſſault could ſcarcely have been apprehended. The preſent Earl Stanhope, a nobleman nearly allied to and cloſely connected with Mr. Pitt, on this occaſion entered the liſts againſt the miniſter armed "*cap a-pie*," defying him "*a l'outrance*," with the louring brow and menacing air of a fierce and implacable combatant. Raillery apart, it muſt be confeſſed that his Lordſhip's firſt charge ſeems intended as a mere flouriſh, viz. "That the Commiſſioners may, by means of the powers given them by this Bill, make large fortunes by gambling in the public funds. As the Commiſſioners," argues Lord Stanhope, "muſt certainly know in which of the public funds they mean to lay out the *free revenue*, they may previouſly employ ſecret and unſuſpected agents to purchaſe as largely as they think proper into that ſtock, which will neceſſarily be raiſed by the conſequent appropriation of the public money." But his Lordſhip ſeems not to recollect, that by this Bill the Commiſſioners are obliged

to bring the public money to the public market in regular and equal portions; therefore no ſudden riſe can ever take place in any particular ſtock, in conſequence of any vaſt or unexpected purchaſe. And as to the gradual riſe which will doubtleſs be the neceſſary conſequence of the gradual purchaſes of the Commiſſioners, it is evident that if the whole produce of the Sinking Fund was applied to the redemption of any particular ſtock, the riſe of every other ſtock would maintain an exact proportion to the riſe of the ſtock ſo redeemed: as from obvious cauſes the different public funds have always preſerved, and muſt ever continue to preſerve one common level. Diſmiſſing this objection, therefore, as trifling and captious, let us proceed to the ſecond, which we ſhall find more deſerving of attention, viz. that this plan does not propoſe any converſion of ſtock.

"This plan," ſays his Lordſhip, "is ſo contrived, that an enormous and unneceſſary expence will be incurred by the public in the redemption of the preſent 3 per cents, which alone form a capital of 186 millions." Lord Stanhope here profeſſedly grounds his reaſonings upon the probability, that the 3 per cents will not be redeemed at an average lower than 90. This as a matter of probable conjecture, and as a baſis of argument where certainty is unattainable,

able, may be fairly admitted; and in this caſe the advantage of a general converſion of the 3 per cents into 4 per cents is manifeſt. If 100 millions of 3 per cents, redeemable at 90, could be converted into 75 millions of 4 per cents, redeemable at *par*, it is evident that the ſum of 15 millions would be ſaved to the public. This plan of converſion was firſt propoſed by Dr. Price to the preſent Marquis of Lanſdowne, when Earl of Shelburne, and at the head of the Treaſury. It obtained the approbation of that nobleman, who meant, had he continued in office, to have combined it with the plan formed for raiſing the loan for the ſervice of the year 1783. It is, however, liable to a very ſerious objection, viz. that the ſtockholders will require ſo large a premium to induce them to convert, that the ſum neceſſary to accompliſh the converſion might be applied with more effect to the purpoſe of immediate redemption. But in order to aſcertain the advantage reſulting from ſuch converſion, the average rate of redemption muſt be previouſly known. From a general inſpection of the preſent transfer prices, it appears that the ſum of two millions 500,000l. would be neceſſary to effect a converſion of 100 millions of 3 per cents into 75 millions of 4 per cents. Here then ariſes the queſtion, whether it would be moſt beneficial to the public to employ this ſum

in the redemption of ſtock, or in the converſion of it? An annual fund of one million employed in the redemption of 75 millions of 4 per cents would liquidate the whole debt in thirty-ſix years. But the ſame annual fund, aided by the ſum of two millions and an half, applied to the immediate purpoſe of redemption in preference to converſion, in the ſpace of thirty-ſix years would diſcharge only 88 millions of 3 per cents, allowing 90 to be the average rate of redemption. A loſs of 12 millions, therefore, would, at the end of that period, be ſuſtained by the public in conſequence of applying the ſum of two millions and an half to the purpoſe of redemption rather than of converſion. A regular plan ought therefore, doubtleſs, to be formed, by which a gradual progreſs might be made in the proceſs of converſion; and as the principal cauſe of the comparative depreciation of the 4 per cents is the apprehenſion of a reduction of intereſt, or a redemption at *par*, the value of the new 4 per cents might be conſiderably raiſed, and conſequently the expence attending the converſion conſiderably leſſened, by enacting that the new capital ſhould neither be redeemable, nor the intereſt reducible, till the old 4 per cents were previouſly and entirely liquidated.

Lord Stanhope, indeed, propoſes a plan, according to which a general converſion of ſtock would,

would, as he fancies, take place without ſubjecting the public to any extra expence. The grand inducement which Lord Stanhope holds out to the proprietor of ſtock, in lieu of a premium, to engage him to convert, is *the right of priority of redemption*; and the Sinking Fund is to be inviolably applied to the purpoſe of redeeming the new 4 per cents at *par*, according to the order of time in which the converſion ſhall have been made. Conformably to this plan, 100l. 3 per cents would be convertible into 75l. 4 per cents, yielding the ſame annual amount of intereſt. It is moſt certain, therefore, that as long as the 3 per cents remain below 75, the ſtockholders who are fortunate enough, or have intereſt ſufficient to procure early ſubſcriptions, would need neither arguments nor menaces, laviſh as his Lordſhip is of both, to induce them to convert. But it is, at the ſame time, juſt as certain, that a loſs would be ſuſtained by the public exactly equivalent to the difference between the actual transfer price of the ſtock ſo converted and the ſum at which it is to be redeemed. But if the 3 per cents ſhould riſe above 75, not all the eloquence of Demoſthenes or Cicero would prevail upon a ſingle ſtockholder, obſtinate and inſenſible as they are, to convert his 3 per cents into 4 per cents, unleſs a *bonus* was ſecured to him equal, at leaſt, to the difference between the market

price and the price of redemption. A *bonus*, the noble Lord himſelf allows to be, in theſe circumſtances, indiſpenſably neceſſary: and as priority of redemption is the grand allurement held out by this plan, the *bonus* muſt, of courſe, correſpond or keep pace with the advance of the original ſtock. If 90, therefore, be, as his Lordſhip ſuppoſes, the average rate of redemption of the original ſtock, it follows that a *bonus* of 15 millions, at the leaſt, will be neceſſary, in order to procure a converſion of 100 millions of 3 per cents into 75 millions of 4 per cents; or, in other words, the converſion would be merely nominal, and the ſame ſum would operate exactly in the ſame manner, if applied to the redemption of the 3 per cents under their original denomination. His Lordſhip's project is, therefore, in part abſurd and extravagant, and in part nugatory and ridiculous.

The third objection urged by Lord Stanhope againſt the plan eſtabliſhed by Mr. Pitt is, that no effectual means are provided to prevent an alienation of the fund from the purpoſe of redemption. And certainly, if Lord Stanhope can point out any proviſions more effectual than thoſe already deviſed and enacted with this view, the public would be under no little obligation to him. The means actually propoſed by his Lordſhip are, however, totally inadequate to the purpoſe.

poſe. It muſt be confeſſed, indeed, that ſo far as his Lordſhip's plan participates of the hature of a contract, it would not be conſidered by Parliament as alterable but with the concurrence of all the parties concerned. And it is evident, that ſo long as the old 4 per cents ſhould continue below *par*, the conſent of thoſe proprietors of the new 4 per cents who were in expectation of a ſpeedy redemption at *par* could not be obtained. If any ſerious intention of alienation, therefore, was entertained, a ſtop muſt previouſly be put to the proceſs of converſion, which could never be anticipated to any great degree but under circumſtances of enormous diſadvantage to the public. But whenever the 3 per cents roſe above 75, the proceſs of converſion would ceaſe of itſelf, unleſs the public voluntarily offered a *bonus* as an inducement to convert, which might be continued or withheld at pleaſure. It is plain, therefore, that the Sinking Fund could never be incapable of alienation for any conſiderable period of time; and for ſuch a time only as it was employed in operations of finance peculiarly pernicious, abſurd, and extravagant. As miniſters of ſtate are often ſeverely cenſured without reaſon, it is both right and pleaſing to commend when their public conduct has been really meritorious. It is remarkable, however, that the learned and excellent man who firſt awakened

awakened the attention of the nation to this intereſting and important ſubject, upon whoſe ideas Mr. Pitt appears chiefly to have acted—the man who ſo ably and clearly explained the nature and powers of the Sinking Fund, and who ſo forcibly and, at length, ſucceſsfully, urged its re-eſtabliſhment, has had no mark of public approbation or diſtinction conferred upon him, though titles, places, and penſions, have been profuſely laviſhed upon perſons reſpecting whoſe public ſervices the public ſtill remain moſt profoundly ignorant. It has, indeed, been diſputed, whether patriotiſm be really a virtue; if it is not, at leaſt, it muſt be allowed to bear a ſtriking reſemblance to it, in the honour it ſo indiſputably poſſeſſes of being conſidered as its *own reward*.

ESSAY

ESSAY XXIII.

OBSERVATIONS ON THE TEST LAWS.

IT is well known that the very remarkable law, which impoſes upon all perſons, holding offices civil or military under the crown, the neceſſity of receiving the ſacrament according to the rites of the church of England, was enacted at a period when theſe realms were expoſed to the moſt imminent danger of falling once more under the yoke of Popery. A plot was actually formed for the re-eſtabliſhment of that bloody and deteſtable ſuperſtition; and as the ſovereign himſelf was the principal conſpirator, it became indiſpenſable neceſſary to reſtrain the royal prerogative in the exerciſe of a very important branch of the executive power, and to adopt ſome effectual mode of compelling the crown to diveſt its accomplices of every degree of political influence and authority. The TEST ACT was admirably calculated to anſwer this important purpoſe. It was deemed by the whole nation, and acknowledged by the Papiſts themſelves, to be the moſt formidable barrier that could have been erected againſt the deſigns of the court. And in the ſucceeding reign, when the

the ſame deſigns were revived and almoſt openly avowed, it is certain that the Teſt was regarded as the grand obſtacle to their accompliſhment. It is, however, not a little unfortunate that meaſures, originally framed upon principles of the trueſt wiſdom, and juſtified by motives of the moſt urgent political expediency, ſhould, in the progreſs of human affairs, be themſelves converted into grievances of very ſerious magnitude. This is a defect incident to all human legiſlation, and this is preciſely the caſe with reſpect to the law in queſtion. In the courſe of more than a century all rational apprehenſions of danger from Popery have totally ceaſed: and if this law did not exiſt, it would now, doubtleſs, be thought as unneceſſary, and even prepoſterous, to oppoſe ſuch a barrier againſt Popery as againſt Mahommedaniſm.

To the great regret, however, of thoſe who hoped better things from the liberality of the preſent times, the motion of Mr. Fox in the Houſe of Commons, March 2, 1790, for a repeal of the Corporation and Teſt Acts, ſo far merely as they operated to the excluſion of Proteſtants diſſenting from the eſtabliſhed church from civil offices, was negatived by a majority of 189 voices. The circumſtances attending this rejection are too curious and remarkable to be very ſoon or very eaſily forgotten. A previous application

application to Parliament for this purpoſe had been made in the year 1787; and though the miniſter, Mr. Pitt, declined making any clear or ſpecific declaration of his ſentiments relative to the propriety of it when the deſign was firſt communicated to him, he thought proper to oppoſe it in Parliament in a manner which occaſioned no little ſurpriſe and chagrin*; the Diſſenters, under the idea of his being an ardent friend of liberty civil and religious, having hitherto ranked amongſt his moſt zealous adherents. The original motion of Mr. Beaufoy was, in conſequence of this ſtrange and impolitic oppoſition, rejected by a majority of 78 votes. The arguments of Mr. Fox and other advocates for the repeal making, however, a very viſible impreſſion upon the Houſe, another attempt was thought adviſeable in the ſeſſion of 1789, when Mr. Beaufoy, in a very able ſpeech, again moved the Houſe for the repeal in queſ-

* A very intelligent and reſpectable member of the committee, appointed to wait upon Mr. Pitt on this occaſion, informed the author of this tract that they had no doubt, from the manner in which Mr. Pitt expreſſed himſelf, that he would have ſupported the motion of repeal: as was, in all probability, his original intention. But his reſolutions failed him, and Toryiſm, with its train of attendant miſchiefs, from that moment once more acquired a decided aſcendency in the cabinet.

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tion. The motion was very powerfully ſupported; and though the miniſter again appeared as the determined adverſary of the meaſure, on a diviſion it was negatived by a majority of 20 voices only. This encouraged ſtill farther exertions. And as the diſpoſition of the Houſe of Commons was apparently favorable to the repeal, and that of the nation at large by no means adverſe, it was hoped that, on a third application, the court would relax in its oppoſition to a meaſure which had ever been patronized by Whig miniſters and Whig monarchs, as involving in it conſiderations the moſt eſſential to liberty, which had been expreſsly recommended by King WILLIAM to the Engliſh, and by King GEORGE I. to the Iriſh Parliaments; and which Mr. Pitt, if he had been animated by a ſingle ſpark of the "ſpirit of his ſainted ſire," would have diſdained to purchaſe the ſmiles of royalty or the plaudits of bigotry by ſtanding forward as the public advocate of oppreſſion, to oppoſe.

As ſoon, however, as it was known that another application was determined upon, every engine was put in motion in order to obſtruct the ſucceſs of it. The obſolete and terrific cry was revived that *the Church was in danger!* The provincial conventions of the Diſſenters, who had been reproached by their opponents, and by Lord North himſelf in the Houſe of Commons with coldneſs

coldneſs and indifference as to the ſucceſs of the former applications, were repreſented as ſo many conſpiracies formed to ſubvert the peace of church and ſtate. Counter meetings of the friends of the Eſtabliſhment were ſummoned. Lords of the bedchamber were amongſt the firſt to attend them. The public papers were filled with malignant and inflammatory libels againſt the Diſſenters. New pamphlets were written, and old ones revived in order to demonſtrate the dire effects which would flow from a renunciation of the principle of perſecution. For the Teſt Act is either an act of political and urgent neceſſity ariſing from a ſtriking peculiarity of ſituation and circumſtances, or it is an act of real and undiſguiſed perſecution; ſince the great principle of toleration is ſo far violated, as men are diveſted of their civil and political rights for exerciſing their moral and religious rights. In ſhort, heaven and earth were moved by the court faction to prevent, in their profound wiſdom and ardor of loyalty, the reſtoration of the monarch to the exerciſe of his conſtitutional prerogative, by the removal of a reſtraint as diſgraceful to the ſovereign as it is injurious to the ſubject. In the midſt of this political ferment Mr. Fox nobly dared to ſtand forth the champion of a cauſe founded on the immoveable baſis of juſtice, reaſon, and truth; and inſeparably connected

nected with thoſe ſacred principles of civil and religious liberty, for which it is his pride and his boaſt that he has ever uniformly contended. The event was indeed unſucceſsful, but inglorious was the triumph of his rival.

Amongſt the many invidious and malignant publications which diſgraced the opponents of this repeal, a pamphlet aſcribed to the preſent Biſhop of Rocheſter, Dr. Horſley, intitled "A Review of the Caſe of the Proteſtant Diſſenters," ſtands perhaps moſt conſpicuous. It conſiſts of a ſeries of remarks on the caſe of the Diſſenters, as ſtated in a paper publiſhed by the authority of the Committee to whom the conduct and direction of the buſineſs were chiefly entruſted. His Lordſhip, diſliking the arrangement of the multifarious matter contained in this ſhort ſtatement, has diſpoſed the arguments of the Committee in the following more lucid order: 1ſt, Grounds of claim; 2dly, Religious motives; 3dly, Political reaſons. The pretended claim of the Nonconformiſts, ſays his Lordſhip, appears to be threefold; upon the gratitude, upon the juſtice, upon the impartiality of the ſtate. Their claim upon the gratitude of the ſtate, in this inſtance, is founded, as his Lordſhip juſtly obſerves, upon certain ſervices rendered to the ſtate, in conſequence of the diſintereſted part they acted in contributing to the paſſing of the Teſt Act: which

was

was originally introduced as a barrier againſt Popery, in direct oppoſition to the court, at a moſt dangerous and alarming criſis. In reference to this claim, Biſhop Burnet declared, in the debate on the occaſional Conformity Bill, "that it was peculiarly hard that an act, obtained in ſome meaſure by their concurrence, ſhould be made the inſtrument of their oppreſſion." And the Lords who voted for the repeal of the Teſt in the reign of King WILLIAM obſerve, in their memorable proteſt on that occaſion, "that the edge of a law, intended ſolely to exclude Papiſts from places of truſt, is, they know not by what fate, turned againſt Proteſtants; and that the king and kingdom are thereby deprived of divers men fit and capable to ſerve the public, for a mere ſcruple of conſcience, which can by no means render them ſuſpected and much leſs diſaffected to the government."

By this claim of gratitude, which is very clearly and forcibly ſtated on the part of the Diſſenters in a very few words, and which certainly cannot fail to make ſome impreſſion upon every mind ſuſceptible of generous feelings, the Biſhop of Rocheſter is ſo much embarraſſed, that he thinks it neceſſary to employ twenty pages in anſwer to it. "In the zeal of the Proteſtant Nonconformiſts," ſay the Committee, "to reſcue the nation from the dangers which were at that time

apprehended from Popiſh recuſants, they contributed to the paſſing of the bill; willingly ſubjecting themſelves to the diſabilities created by it, rather than obſtruct what was deemed ſo neceſſary to the common welfare. Alderman Love, a member of the Houſe of Commons, and a known Diſſenter, publicly deſired that nothing, with relation to *them*, might intervene to ſtop the ſecurity which the nation and Proteſtant religion might derive from the Teſt Act: and declared, that in this he was ſeconded by the greater part of the Nonconformiſts." The ſeaſonableneſs and importance of this declaration was candidly acknowledged by the aſſembly to whom it was addreſſed, and is well underſtood by all who are acquainted with the ſtate of parties at that period.

In order to obviate this ground of claim, the Biſhop of Rocheſter in the firſt place aſks, "Whether the Proteſtant Diſſenters conceive that the general danger from Popery, which their anceſtors ſo much dreaded, is now in ſuch degree removed that Papiſts may with ſafety be admitted to thoſe places of authority and truſt from which the Corporation and Teſt Acts exclude them? Becauſe, if the danger ſtill continues, it may become the Nonconformiſts of the preſent times to imitate the example of their anceſtors which they ſo much extol, and to ſubmit chearfully to particular

ticular inconveniences for the general good." To this it may be replied, that there is no reaſon to queſtion their readineſs, in ſimilar circumſtances, to imitate the noble example of their anceſtors. But if the Teſt Act was originally and expreſsly intended to exclude the Papiſts from offices of truſt, and if its operation extended to Diſſenters only accidentally, though circumſtances prevented the legiſlature from drawing a preciſe line of diſcrimination, at a criſis ſo urgent as that in which the Teſt Act was introduced, the Diſſenters have a fair claim, at a more convenient ſeaſon, to petition for an exemption from the penalties of that law which was obtained in a great meaſure in conſequence of their concurrence; even ſuppoſing it to be ſtill neceſſary or expedient as to the Catholics, which is a ſeparate conſideration. Therefore all the learned pains which this Right Reverend Apologiſt for national ingratitude has taken, to ſhow that the law itſelf cannot be ſafely abrogated, or any expedient ſubſtituted in lieu of it, as far as the Teſt bears relation excluſively to the Papiſts, are nothing to the purpoſe, and evidently and totally foreign to the queſtion as it applies to any claſs of Proteſtants.

His Lordſhip's ſecond argument in vindication of public ingratitude is, "that the preſent race of Nonconformiſts adopt very different principles

in religion from their forefathers, who were Calviniſts in doctrine, in diſcipline Preſbyterians; whereas, according to the Biſhop of Rocheſter, the modern Diſſenters are Arians, Socinians, Pelagians, Neceſſarians, Materialiſts, any thing rather than Calviniſts," p. 22. This, as to the majority of Nonconformiſts, is moſt undoubtedly falſe; but if it were true, it is juſt as foreign to the purpoſe as his Lordſhip's former argument. The modern Nonconformiſts ſuffer civil inconveniences, in conſequence of the patriotiſm of their anceſtors. "True," ſays my Lord of Rocheſter;" but lives the remembrance of this ſervice in the mind of government? Glows the public boſom with the generous flame of gratitude? No," exclaims his Lordſhip, in the genuine ſpirit of unrelenting bigotry, "the claim is cancelled, for you have dared to deviate from the religious principles of your Calviniſtic anceſtors." And of what conſequence is this to the government, may the Diſſenters reply, if we continue faithful in our allegiance to the ſtate? If the Diſſenters are dangerous or ſeditious ſubjects, puniſh them for their own faults.—If they are peaceable and loyal ſubjects, puniſh them not for the faults and much leſs for the virtues of their anceſtors!

His Lordſhips laſt reſort is to the plea of political expedience. This, if juſtly urged, may indeed

indeed ſuperſede, though it cannot invalidate the claim of gratitude; which is certainly adduced with propriety as one argument, though by no means the chief argument, in favor of this repeal.

The SECOND claim of the Nonconformiſts, or their claim upon the *juſtice* of the ſtate, hath, as his Lordſhip aſſerts, a double foundation. The *firſt* ground is the right of private judgment in matters of religion, which as the caſe under his Lordſhip's review ſtates, "being now univerſally acknowledged, no man's exerciſe of it ought to be branded with a mark of infamy." To this the Biſhop replies, p. 25, "that it becomes the friends of peace and order in the ſtate, whenever this univerſal acknowledgment of the right of private judgment is pretended, to proteſt LOUDLY againſt it. It is not, exclaims his Lordſhip, acknowledged in any ſuch extent as the Nonconformiſts contend for by the church of England; nor by the Calviniſtic churches of Holland, Scotland, or Geneva. It is not acknowledged by the epiſcopal church of America; nor can it be acknowledged without reſtriction, more or leſs, by any eſtabliſhed church in Chriſtendom; a denial of any ſuch unlimited right being implied, in the very idea of an Eſtabliſhment:" than which laſt reflection, the greateſt enemy of Eſtabliſhments could not have advanced any charge more ſubverſive of thoſe foundations of juſtice and equity,

on which alone they can ſafely reſt. Amidſt his Lordſhip's vehement declamation againſt the right of private judgment, it might not have been amiſs, as reaſon ſtill weighs for ſomething in the ſcale, had he blended ſome ſemblance or ſhadow of argument, and not have reſted his oppoſition entirely upon the LOUDNESS of his proteſtations againſt it.

"Whatever may be the extent of private judgment, however," ſays his Lordſhip, "the Corporation and Teſt Acts imprint no infamy upon the exerciſe of it. Civil incapacities carry no infamy, except when they are attached to an individual by the ſentence of a court, taking cognizance of crimes for which infamy is the proper or legal puniſhment. But the ſame incapacities, when they appear not otherwiſe in the individual than as he comes within a certain deſcription of citizens, diſqualified by ſome general law, are not infamous; for the ſame reaſon, that it is not infamous to any man not to be qualified by his fortune to ſit in Parliament, or to vote at a county election, or to ſhoot game. Nor is it within the intention of the laws, which appropriate theſe rights, to imprint diſgrace upon the excluded citizens. For the ſame reaſon, no infamy attends the incapacities eſtabliſhed by the Corporation and Teſt Acts." In anſwer to this wretched ſophiſtry, it may be remarked, that civil incapacities affecting whole claſſes of citizens are evidently

evidently of two kinds. Such as have no reference to the *characters* of thoſe who are thus incapacitated, and which of courſe can imply no reflection upon the conduct, but are merely founded on the general baſis of utility, and ſuch as originate in the idea of danger to be apprehended from the diſaffection and evil deſigns of thoſe, who upon that account *only* are made the ſubjects of legal incapacitation. It is not infamous to be incapable of voting at a county election, becauſe the law which excludes thoſe who poſſeſs not freeholds of a certain value has reference merely to convenience or political expediency, and implies not the leaſt reflection or reproach on the characters of thoſe who happen not to come within that deſcription. But when that Parliament of King James I. which according to Biſhop Sherlock had the honor of inventing this Sacramental Teſt, gave it as a reaſon for impoſing it, that it was intended "for the better diſcovery of divers perſons popiſhly affected, who, nevertheleſs, the better to cover and hide their falſe hearts, and with the more ſafety to execute their miſchievous deſigns, repair ſometimes to church to eſcape the penalty of the laws;" when a whole claſs of citizens were incapacitated by the impoſition of ſuch a teſt, it could only be conſidered as a mark of infamy. And this may with equal juſtice be affirmed of

the incapacities eſtabliſhed by the acts in queſtion. They are laws dictated by anger and ſuſpicion. The Diſſenters are virtually declared, by theſe acts, to be bad citizens—wholly undeſerving the favor or confidence of the Government under which they live. This incapacitation is founded entirely upon the idea of the political turpitude of thoſe who are the ſubjects of it.—And yet the Diſſenters are aſſured by this Right Reverend Reviewer of their caſe, "that there is no degree of infamy, or even of diſgrace, attached to this excluſion; that the excluſions of the Corporation and Teſt Acts hardly amount to incapacities, becauſe they declare no incapacities but ſuch which the individual hath in his own power at any time to efface." p. 27. What an admirable Inquiſitor General would this meek and merciful Biſhop have made! In the ſame ſpirit good Biſhop Bonnor, doubtleſs, would not heſitate, in vindication of the wholeſome ſeverities of his time, to ſay, "that the penalties inflicted by the writ *de hæretico comburendo* ſcarcely amounted to penalties, becauſe they were ſuch as the individual, by a dutiful ſubmiſſion to the church, had it in his power at any time to efface."

But the claim of the Proteſtant Diſſenters on the juſtice of the ſtate is founded, *ſecondly*, as we are truly told, on their loyalty to his Majeſty's illuſ-

illuſtrious family and the eſtabliſhed Government. This the Biſhop of Rocheſter denies, with as much aſſurance as if he had never read a ſingle page of the Engliſh annals from the æra of the Revolution to the preſent times. "The real character of any ſect or party," ſays his Lordſhip, "hath in truth little connection with the general diſpoſitions of its nominal adherents in quiet times. The diſpoſitions of the leaders, with reſpect to party views, make up the whole character of the party. It is yet within our memory, that numerous clans of Highlanders, which for many years back had been compoſed of peaceable and quiet ſubjects, no ſooner heard their chieftains pipe upon the hills than they roſe up to a man rebels armed." p. 29. By this vile and malignant inſinuation would his Lordſhip fix both the reproach and puniſhment of diſaffection on thoſe citizens who have ever ſhewn themſelves inviolably attached to the preſent Eſtabliſhment; who have been moſt ready to ſacrifice their lives and fortunes in defence of the once diſputed title of the Houſe of Brunſwick, voluntarily incurring, in the ardor of their loyalty, the dreadful penalties of the Teſt Laws, in exigencies the moſt critical; and relying on the merit and magnitude of their ſervices for that pardon from the Government which could not

not be refuſed without public injuſtice, nor granted without public diſgrace.

The parallel between the different ſects of Diſſenters and "the numerous clans of Highlanders" is moſt prepoſterous. Every one in the leaſt converſant with the hiſtory of theſe kingdoms, will recollect the deſpotic authority exerciſed by the Highland chieftains over the Highland tribes previous to the abolition of the heretable juriſdictions; that the majority of the clans were, from the period of the Revolution, notorious for diſaffection; and that no ſuch ſudden change, from loyalty to diſloyalty, as Biſhop Horſley ridiculouſly pretends, ever took place even amongſt them. Whence, then, can proceed theſe *brain-ſickly* apprehenſions reſpecting the Diſſidents of England? His Lordſhip's proofs are, "that a celebrated diſſenting divine, Dr. Price, mentions the American Revolution as the moſt important ſtep in the progreſſive courſe of human improvement next to the introduction of Chriſtianity; and places the glory of the American ſtates," as his Lordſhip is pleaſed to affirm, "in their emancipation from Lords, from Biſhops, and from Kings." And that another celebrated writer, Dr. Prieſtley, ſpeaking of what he conceives to be the corruptions prevailing in the church, has predicted, "that a complete reformation of them will not take place but in conſequence

quence of great civil commotions." And he might have added, what univerſal experience proves, that theſe commotions are invariably occaſioned by the pride and folly of thoſe who obſtinately oppoſe thoſe changes which good policy approves, and which the ſpirit of the times will, in ſpite of all oppoſition, ultimately effect. And the profound ſagacity of Lord Bacon pronounces "a froward retention of cuſtom to be as *turbulent* a thing as unſeaſonable innovation." At all events, great bodies of men muſt be tried by the general tenor of their actions, and not by the unauthorized declaration of a few inſulated individuals.

But the conſideration upon which the Right Reverend Prelate inſiſts, as the moſt convincing proof of the diſloyalty of the Diſſenters, is their diſlike of the preſent Eccleſiaſtical Eſtabliſhment. And the Biſhop quotes a variety of paſſages from the Catechetical Lectures of Robinſon and Palmer on the ſubject of Nonconformity, in proof of the extreme rancor of their animoſity againſt it. Theſe publications, certainly, amidſt much juſt and bold cenſure, contain many theoretical poſitions which appear to me very erroneous; and in the vehemence of controverſy, as is ever peculiarly the caſe in *theological polemics*, angry invective is too often ſubſtituted for diſpaſſionate reaſoning. But nothing is diſcernible

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at which even the church, and much leſs the ſtate, need to take any alarm. Theſe writers diſapprove the preſent ſyſtem of Eccleſiaſtical policy; and they expreſs their ſentiments upon this ſubject as members of a free community, without reſerve, as various other able and virtuous citizens have done relative to the preſent ſyſtem of parliamentary repreſentation, the extent of regal influence, and other great and intereſting political queſtions. But do they intimate that a reform ought to be attempted by any other than legal and peaceable methods? Do they wield any other weapons than thoſe of argument and declamation? Let the church, then, oppoſe argument to argument; and if ſhe pleaſes, however diſtinguiſhed hitherto for her meekneſs of diſpoſition, invective to invective. Has ſhe not the riches, the power, the policy of the ſtate, to protect and defend her? Why, then, theſe puſillanimous apprehenſions, theſe diſgraceful terrors? Why does the church, when *a brawling Sectary*, to uſe the polite language of the Biſhop of Rocheſter, p. 18, lifts up not his ſword or even his hand againſt her, tremble and turn pale with conſternation?

The principles which theſe writers advance are not however haſtily to be aſcribed to the entire maſs of Diſſenters, many of whom it is certain entertain ſentiments widely diſſimilar. And

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in a very able publication, ſtiled "An Enquiry into the Principles of Toleration," by the late Mr. Fownes of Shrewſbury, a name which, amongſt the ſuperior claſſes of Diſſenters, is held in high and deſerved eſtimation, the Biſhop of Rocheſter might have found the following paſſage. "National Eſtabliſhments of religion are, in fact, proviſions made by the governors of a ſtate for advancing the knowledge and practice of religion and virtue. According to this idea they ſtand on the ſame baſis, and may properly be referred to the ſame general rank with all public inſtitutions for the cultivation of the minds, and improvement of the morals of men; only, when well conſtructed, incomparably ſuperior to them all in weight, influence, and dignity." Theſe ſentiments preciſely correſpond with thoſe of Biſhop Hoadley, that renowned champion of the civil and religious rights of mankind on this ſubject; and with thoſe of all rational and liberal advocates of religious Eſtabliſhments. As to the Harlowe Synod, on whoſe approbation of Mr. Robinſon's publication the Biſhop of Rocheſter lays ſo much ſtreſs, and whoſe celebrity in his eſtimation ſeems to rival that of Dordt, it appears upon enquiry to be merely a convention of a few Anabaptiſt miniſters of the counties of Cambridge and Eſſex, who take upon them the harmleſs, though ſome-

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what high-ſounding title of "The Eaſtern Aſſociation."

Let the religious opinions of the Diſſenters, however, be what they may, it is neither the province nor the policy of the magiſtrate to intereſt himſelf in theſe theological diſcuſſions. To the queſtion "*What is Truth?*" he is in ſuch caſes very incompetent to decide. The only thing which it concerns him to know is, whether theſe combatants, armed merely with grey-gooſe quills and air-drawn daggers, yield a willing and chearful obedience to his authority. For if they do, there can be no good political reaſon for diveſting them of any of the privileges or immunities of good citizens: and they may, doubtleſs, be ſafely admitted to a participation of thoſe ſubordinate powers which are neceſſary to the due and regular adminiſtration of the ſupreme authority. The ſtate, it is true, takes under its more immediate protection that form of religion which it deems beſt adapted to the general circumſtances of the community. But a right to impoſe this form upon the meaneſt member of that community, it does not and cannot poſſeſs. It allows, therefore, or ought to allow the moſt unlimited right of diſſenting from it; and of declaring the grounds and reaſons of that diſſent: and to inflict penalties upon the exerciſe of an acknowledged

ledged right is, ſurely, in the view of reaſon, moſt abſurd and monſtrous.

In the early part of the preſent century the then popular champions of Nonconformity, Calamy, Pierce, Delaune, Twogood, &c. ſtated their objections to the National Eſtabliſhment with no leſs boldneſs and aſperity than Robinſon and Palmer. But did the government at that time condeſcend to take any alarm at theſe publications, or regard them as ſo many demonſtrations of diſloyalty? No—directly the reverſe. It was perfectly underſtood by the Montagues, the Walpoles, and the Pelhams, that the authority of the ſtate could never be endangered, if no attempts were made or meditated to effect a change in the eſtabliſhed religion by violent means. If ſuch attempts could be ſuppoſed, thoſe who engage in them are and ought to be amenable to the laws. If, on the other hand, by the influence of reaſon and argument only, the majority of the nation are convinced that the eſtabliſhed religion is either wholly or in part erroneous, the governing power of the ſtate is at liberty, and ought doubtleſs to make ſuch alterations as diſcretion ſhall dictate, and the more advanced ſtate of knowledge ſhall appear to require. Nay ſhould any individuals even imagine that the magiſtrate exceeds the proper limits of his province, in eſtabliſhing *any* religion in the ſtate,

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and very cogent arguments have been offered on this head; thoſe very individuals may be as good ſubjects as any in the community, excepting they alſo fancy that it is incumbent upon them, not by reaſoning but by violence, to rectify the miſtake of the magiſtrate; and to ſubvert that eſtabliſhment by force, which the magiſtrate is, in theſe circumſtances, not only authorized, but under an obligation to defend by force.

We ſee, in fact, from the uniform conduct of the Diſſenters, for more than a century paſt, that theſe abſtract ſpeculations, ſo far from being dangerous to the ſtate, are perfectly conſiſtent with the moſt undeviating fidelity to the ſtate; nay, with a paſſionate zeal and attachment to it. And it is very remarkable, and a ſtriking proof of the truth of theſe aſſertions, that for many years ſubſequent to the Revolution, the Proteſtant Diſſenters, who are by their enemies moſt abſurdly and injuriouſly repreſented as partially diſaffected to the conſtitution, becauſe they exerciſe, in diſſenting from the church, one of thoſe rights with which they are inveſted by the conſtitution, were, of all the different claſſes of citizens, the moſt firmly and zealouſly attached to the new ſettlement. And that on the contrary, a great majority of the ſons of that church, which in theſe times preſumes to charge the Diſſenters with diſloyalty, were, of all the ſubjects of the ſtate, the moſt

moſt dangerous, ſeditious, and diſloyal. "The oath of allegiance," as the Right Reverend Hiſtorian of his own times tells us, "was taken by many, *particularly amongſt the clergy*, to the great reproach of their profeſſion, in a ſenſe groſsly equivocal. For regarding the depoſed monarch as ſtill their king, *de jure*, they ſatisfied their conſcience with a ſubmiſſion to the King and Queen as uſurpers during their uſurpation. So far had they entangled themſelves by their ſtrange aſſertions of the divine right of monarchy, and the abſolute unlawfulneſs of reſiſtance."

The ſpirit of the church, in a political view, differs indeed moſt eſſentially from the ſpirit of the conſtitution, or rather it is diametrically oppoſite to it. For the exiſtence of its legiſlative powers it is dependent entirely upon the crown, which by virtue of its ſupremacy has wiſely ſuſpended, or rather annihilated the exerciſe of them. Its executive powers are ſubject to no regular ſuperintendency or control, and its judicial powers are univerſally execrated as dark, oppreſſive, and deſpotic. The church preſumptuouſly claims indeed to be *an ally* of the ſtate, as if it were a co-ordinate or independent power: and talks of the two-fold nature of the conſtitution, as if the Act of Toleration was not as much a part of the conſtitution as the Act of Uniformity. But the church is, in a civil view, the mere creation of

the ſtate, which ſupports what it originally formed, not as ALLY, which is only a ſofter term for a rival to itſelf, but as a mere human inſtitution, eſtabliſhed for the purpoſe of inſtructing the people in the principles of morality and religion. And it muſt be acknowledged that the Anglican church, with all its imperfections, is in many reſpects well calculated to effect this great and ſalutary purpoſe; that countleſs multitudes of pious and excellent Chriſtians have lived and died in its communion; that very many able, learned, and zealous advocates and defenders of our holy faith, have adorned its moſt elevated ſtation, and have rendered its name truly illuſtrious. And if it is diſgraced by the conduct and ſentiments of a LAUD, a SACHEVEREL, or a HORSLEY, it would be unjuſt not to recollect that it has alſo produced a TILLOTSON, a HOADLEY, and a WATSON.

"The Nonconformiſts urge a *third* claim," ſays the Biſhop of Rocheſter, "upon the impartiality of the ſtate," p. 32. And certainly the Engliſh Nonconformiſts have reaſon to complain of the partiality of the ſtate, if, while Iriſh Nonconformiſts and Scottiſh Nonconformiſts are treated as good and loyal ſubjects, they alone are excluded from the common benefits and privileges to which, as citizens of the very ſame deſcription, they are doubtleſs equally entitled. To this his Lordſhip

Lordſhip makes an anſwer very novel and curious. "The church of Scotland," ſays he, "can complain of no injuſtice, while her ſons enjoy all the rights which ſhe ſtipulated for them at the union." Is his Lordſhip really ſerious? The Nonconformiſts in England complain that they are placed in leſs advantageous circumſtances than the Nonconformiſts in Scotland—And his Lordſhip loftily and ſupercilioufly replies, that the church of Scotland cannot be diſſatisfied with this ſo long as the treaty of union is not violated! If either Conformiſt or Nonconformiſt, Engliſhman or Scotſman, can comprehend the force of this reaſoning, he muſt be a man of extraordinary ſagacity indeed. The church of Scotland, which is no more aggrieved by the ſufferings of the Engliſh Nonconformiſts, than the church of Alexandria, has apparently ſome ground to complain, it muſt be owned, as the caſe under his Lordſhip's conſideration juſtly ſtates, that the members of her eſtabliſhment, reſident in England, are ſubject to the penalties of the Teſt, which is not impoſed on members of the Engliſh church reſident in Scotland. But if they themſelves are pleaſed at this, I know not what reaſon the Engliſh Nonconformiſts have to be diſpleaſed. As his Lordſhip's reply, however, has reference to this circumſtance only, it leaves the general argument unanſwered and unanſwerable.

As to the repeal of the Teſt Act in Ireland, it is not, as his Lordſhip is pleaſed to tell us, an example to be imitated by England, for divers weighty reaſons. 1ſt, Becauſe England has a right to judge for herſelf. 2dly, Becauſe the Teſt Act was repealed in Ireland when that kingdom was in imminent danger of a foreign invaſion, *i. e.* at the very time when it ought to have been moſt ſtrictly enforced, if the Nonconformiſts were really dangerous or diſaffected ſubjects. And laſtly, becauſe the preſent ſtate of the church and kingdom of Ireland is ſuch as the Biſhop does not chuſe to mention. It would be great preſumption to attempt a reply to theſe profound arguments. But what that preſent ſtate of the kingdom of Ireland is which the Biſhop of Rocheſter does not chuſe to mention, may be collected from the addreſs of the Speaker of the Iriſh Houſe of Commons to his Excellency the Lord Lieutenant, on preſenting the bills of ſupply, in the courſe of the laſt Seſſion of Parliament, for the royal aſſent. After enumerating a variety of favorable circumſtances tending to evince the rapid increaſe of the national felicity and glory, he concludes with ſaying, "Such is the preſent proſperous ſituation of this country; and we behold it with the more ſatisfaction, becauſe it has not ariſen from temporary or accidental circumſtances, but has proceeded

ceeded in a ſteady and regular courſe, from a wiſe ſyſtem uniformly adhered to, from a confidence of the nation in a continuance of that ſyſtem, and above all, from that content and peaceable ſubmiſſion to the laws, without which no kingdom, however bleſt in conſtitution, climate, ſoil, or ſituation, can be rich, powerful, or happy."

Let us now paſs on to the next general branch of the queſtion, as ſtated by his Lordſhip, under the head, 2dly, Of religious motives urged by the Nonconformiſts in favor of the repeal of the Sacramental Teſt, p. 34. It is ſaid that the application of the Sacrament of the Lord's Supper to the ſecular ends of civil ſocieties, is a profanation of that holy ordinance; that theſe acts are ſnares for the conſciences of men, and particularly of ſerious clergymen of the eſtabliſhed church. It muſt be acknowledged that the arguments of Biſhop Sherlock, as tranſcribed by Biſhop Horſley, in anſwer to this objection, carry with them great force, upon the ſuppoſition that a teſt is really and indiſpenſably neceſſary, and that no other teſt could be ſubſtituted equally efficacious. It is difficult to diſcover how a religious rite is *profaned* by being made ſubſervient to purpoſes of ſubordinate and temporal utility. And if it is the *occaſion* of profanation, in particular inſtances, the law which impoſes the teſt, if politically expedient, is not more reſponſible

for that profanation, than the law which enjoins an oath is reſponſible for all the perjuries of which it may be the accidental cauſe. It is nevertheleſs a juſt and cogent argument againſt the ſuperfluous, and much more, the wanton impoſition of either, that they will probably be the *occaſion* of profanation and perjury: and therefore they ſhould be impoſed with great caution, and not without a ſtrong and urgent neceſſity. Having made this conceſſion, it is proper juſt to notice certain curious arguments advanced in vindication of the clergy, by Biſhop Horſley, which are *not* to be met with in Biſhop Sherlock. The exhortation which the pariſh prieſt is directed by the Rubric to deliver to the congregation, when he gives notice of the celebration of the Sacrament, forbids blaſphemers of God, ſlanderers of his word, adulterers, &c. to approach the holy table. And yet the miniſter is bound, as is alleged, to admit all ſuch perſons to the Sacrament, when they demand it as a qualification for an office, or ſubject himſelf to a proſecution. "But" ſays his Lordſhip, "if perſons of profane, irreligious lives, warned of the danger of coming to the Lord's table without repentance, will, nevertheleſs, come in defiance of that warning, and have a right under the letter or conſtruction of any law to demand admiſſion, the laws abſolve the prieſt's conſcience, and leave the

the impiety on the heads of thoſe who, warned of the danger, deſpiſe the ſanctity of the inſtitution. The prieſt who hath exhorted, warned, and admoniſhed, hath done his utmoſt, unleſs, beſide the authority of exhortation, the law hath given him a power to repel," p. 39. Now, the queſtion, is—Whether the prieſt can plainly, agreeably to the ſacred obligations of his office, adminiſter the Holy Sacrament to blaſphemers of God, ſlanderers of his word, adulterers, and other groſsly vicious and profligate perſons? If he cannot, the Teſt Act is certainly a ſnare to the prieſt's conſcience. Biſhop Horſley, however, being a great adept in caſuiſtry, pronounces poſitively, that *under the letter or conſtruction of any exiſting law* he may; and his reaſon is, "that in this caſe *the laws abſolve the prieſt's conſcience.*" What! the laws of God? No ſuch thing. His Lordſhip means the laws of England. But if the cauſe ſhould happen to be carried, by appeal, into a ſuperior court—that HIGH TRIBUNAL, where the Rubric and Statute Book are equally unknown, what will this plea then avail in arreſt of judgment? If his Lordſhip does not bluſh on reconſidering the nature of the plea he has offered, we may infer the efficacy of the laws of England, not merely to abſolve the conſcience of a prieſt, but even that of a biſhop.

We are now arrived at the third and laſt grand

diviſion of the allegations urged by the Nonconformiſts in favor of this repeal—political expedience; upon which, as his Lordſhip obſerves, the principal ſtreſs ought to be placed. Prove the Teſt Act, or any other human law which is not inconſiſtent with the divine law, to be neceſſary to the welfare, the peace, and the proſperity of the community, and it muſt be admitted that private individuals ought to acquieſce in it; and that all arguments deduced from the hardſhips or inconveniences ſuſtained by thoſe who may conceive themſelves aggrieved by the operation of it, muſt fall to the ground. The ſafety of the people is the ſupreme law. The claims of gratitude, juſtice, and impartiality, therefore, as advanced by particular members or claſſes of the community, however weighty in themſelves, are abſorbed in the ſuperior conſideration of national expediency; the grand object to which a ſtateſman ought to direct his attention. But then the public expedience of any meaſure ought to be extremely apparent and ſtriking, in order to juſtify the infliction of any political hardſhip or penalties upon the meaneſt individual, and much more upon numerous and reſpectable claſſes of citizens. For government being itſelf an inſtitution ſubſervient to the general happineſs, the ſpirit of laws ABHORS all unneceſſary ſeverity. And if, in any inſtance, penalties are inflicted which

which are not warranted by, and founded upon a regard to the public welfare, in that inſtance government degenerates into oppreſſion and tyranny. With reſpect to the particular caſe now under contemplation, the Proteſtants diſſenting from the eſtabliſhed church in this kingdom are not juſtly reproachable with any failure in their various duties or obligations as citizens, either public or private. And granting it to be incumbent upon the governing powers to guard and protect the eſtabliſhed church, ſo long as it appears to them an inſtitution by which the public welfare is promoted, yet certainly it is not incumbent upon them to diſtinguiſh, by any marks of reſentment or ignominy, thoſe who peaceably diſſent from that Eſtabliſhment. Such treatment is contrary to every principle of policy, rectitude, and juſtice. What danger or inconvenience has ariſen to the Gallican church or nation from the occaſional appointment of Proteſtants to civil and military offices? When did France ever attain to a greater height of proſperity than under the patriotic adminiſtration of a SULLY? When were the armies of that monarchy more ſucceſsfully conducted than by a TURENNE or a SAXE? Or the finances of the ſtate more honeſtly and diſintereſtedly adminiſtered than by a NECKER? Or if we recur to the practice of antiquity, were not Chriſtians em-

employed in great numbers by the heathen Emperors, notwithſtanding the occaſional interruptions of perſecution in all the civil and military departments of the ſtate? and heathens, in like manner, by the Chriſtian Emperors? But to the diſgrace of our own age and country, Chriſtians are proſcribed and perſecuted by Chriſtians, for trivial and almoſt undefinable differences of opinion in religion. And becauſe a man chuſes to worſhip God in the way of his fathers, and agreeably to the dictates of his own judgment, he is pronounced diſloyal to his ſovereign, and diſaffected to the government, which allows him that liberty, or rather which protects him in the enjoyment of that undoubted natural and perſonal right. For religion is in its own nature a voluntary and perſonal concern. An Eſtabliſhment, therefore, is wholly incapable of vindication, which is not accompanied with an unlimited toleration. Thoſe who do, and thoſe who do not conform, are equally entitled to the protection and to the favor of the ſtate. And to make the protection of the church a pretext for the oppreſſion of any part of the community, is virtually to counteract thoſe principles of benignity and utility from which alone the church can derive any juſt claim to protection, or even to exiſtence as a civil inſtitution.

If, indeed, any perſons diſſenting from the eſtab-

eſtabliſhed church ſhould form dangerous or unwarrantable deſigns againſt the ſtate, with a view to effect any alterations or improvements, real or imaginary, in the eſtabliſhed mode of worſhip, then, undoubtedly, the ſtate has a right, as in any other caſe, to avail itſelf of ſuch means as are neceſſary to the preſervation of its own authority, and the ſecurity of that inſtitution which reſts upon it for protection and ſafety. So far does the power of the civil government properly extend: and upon this ground the laws, enacted from time to time againſt the Papiſts in this country are, or rather were in a great degree juſtifiable. For Popery in our days can be regarded only as the gigantic ghoſt of ſome monſter of other times. But then this is widely different from, or rather totally oppoſite to, that deteſtable plan of policy, which would inflict penalties upon obedient and virtuous citizens, merely for exerciſing their inherent right of private judgment in matters purely religious; or which would impoſe any civil diſabilities upon ſuch perſons, or diveſt them of any of the privileges or immunities of good ſubjects, without very ſtrong and deciſive evidence that they would make an improper or unwarrantable uſe of thoſe privileges; or which, in a word, ſcruples not to make the moſt remote and viſionary apprehenſions of evil a pretext for actual oppreſſion. So

long

long as any body of men can give ſatisfactory ſecurity for their behaviour as good citizens; ſo long as they make uſe of no methods but reaſon and argument in ſupport of their reſpective opinions, they are entitled to ſhare in all the temporal advantages of the community, of which they form a part, in proportion to their numbers, their rank, and their abilities. In conformity to theſe general maxims of polity, we ſee thouſands of citizens diſſenting from the eſtabliſhed church in actual poſſeſſion of the right of voting for members of Parliament. We ſee alſo members of Parliament themſelves who are not members of the eſtabliſhed church. A great diverſity of ſentiments in other reſpects, political and religious, prevails likewiſe amongſt the members of the legiſlative body: but no apprehenſions of danger are entertained on this account. In that popular and powerful aſſembly, where all material alterations of a political or religious nature muſt neceſſarily originate, we readily acknowledge the propriety of a general admiſſion of all who profeſs their allegiance to the government, and the utility of an unlimited freedom of debate and of inveſtigation. How inconſiſtent, then, nay, how ridiculous is it to pretend, that the admiſſion of perſons of the very ſame deſcription to civil offices would endanger the peace and welfare of the community!

To

To this general declaration, reſpecting the expediency of this repeal, may be properly ſubjoined a few remarks, ſuch as obviouſly occur on a review of the *pompous nothings* contained in this part of his Lordſhip's publication. It is urged 1ſt, and certainly with very great force, as an argument againſt the political expedience of the Sacramental Teſt as affecting Proteſtant Diſſenters, that it was, as the preamble of the act itſelf ſets forth, impoſed "for preventing dangers which may happen from Popiſh recuſants," and that it is, therefore, an abuſe of the act to make it the inſtrument of oppreſſing the Diſſenters. In anſwer to this, his Lordſhip has the *hardihood* to deny the fact on which the argument is founded. "It is true," ſays he, p. 42, "that the title of the act mentions only dangers from Popiſh recuſants. But it is equally true that the proviſions of the act equally affect all Diſſenters. And this general operation of the act was a thing foreſeen and intended; elſe, why was the act ſo framed as to have relation to Diſſenters, if no danger from them to the church or nation was apprehended? The truth ſeems to be, that the Diſſenters were, *equally with the Papiſts*, the original objects of the act; and Mr. Alderman Love and his party had the good policy to make a merit of ſubmiſſion to a meaſure which they had not a ſufficient ſtrength of intereſt to defeat."

To

To this prepoſterous miſrepreſentation of facts it may ſuffice to oppoſe the authority of Biſhop Burnet, who, as the tranſaction happened in *his own times*, may, perhaps, be deemed as likely to be well informed reſpecting this point as Biſhop Horſley. "The Houſe of Commons," ſays Biſhop Burnet, "not content with voting the declaration of indulgence to be illegal, brought in a bill diſabling all Papiſts from holding any employment or place at court; requiring all perſons in public truſt to receive the Sacrament in a pariſh church, &c. Great pains were taken by the court to divert this. They propoſed that ſome regard might be had to Proteſtant Diſſenters, and that their meetings might be allowed. By this means they hoped to have ſet them and the church party into new heats; for now, all were united againſt Popery. Love, who ſerved for the city of London, and who was himſelf a Diſſenter, ſaw what ill effects any ſuch quarrels might have; ſo he moved that an effectual remedy might be found againſt Popery, and that nothing might interpoſe till that was done. When that was over, then they would try to deſerve ſome favor. But, at preſent, they were willing to lie under the ſeverity of the laws rather than clog a more neceſſary work with their concerns. The chief friends of the ſects agreed to this. So a vote paſſed to bring in a bill in favor of Proteſtant Diſſenters, though

though there was not time enough nor unanimity enough to finiſh one this ſeſſion."

"But, whatever might be the object of the Teſt Act, the *Corporation Act*," as Biſhop Horſley triumphantly declares, "was certainly made without any particular reference to Papiſts, for the expreſs and ſole purpoſe of excluding Diſſenters. This fact is ſo notorious from the hiſtory of the times, and from the preamble of the act itſelf, that the Nonconformiſts, in their caſe, pretend not to deny it." No; and the reaſon is, that *they* think it neceſſary ſtrictly to adhere to truth, and not to ſet at defiance decency and reputation.

Such is the groſs inequality in the preſent ſyſtem of repreſentation in this kingdom, that a majority of the members of the Houſe of Commone are returned by a very inconſiderable part of the community. "And corporations, conſiſting of a very few perſons," as Biſhop Sherlock obſerves, "are repreſented in Parliament by as many members as the largeſt county. And this being the conſtitution, it concerns the whole to take care that corporations be under the government and direction of ſuch as are friends to the whole. Either this is reaſonable, or elſe it is reaſonable to affirm that the conſtitution in church and ſtate ought not to be what the nation likes, but what the towns corporate ſhall think proper for them." There appears, abſtractedly conſidered,

conſidered, much plauſibility in theſe obſervations. The members of the eſtabliſhed church far exceeding the Diſſidents in point of numbers, it would doubtleſs be highly inexpedient and abſurd to permit, in conſequence of the inequality in the repreſentation, the leſs conſiderable claſs to acquire ſuch an aſcendency in the legiſlature as to expoſe the Eſtabliſhment to the hazard of ſubverſion. But whence can ſo wild an apprehenſion proceed? It is certain that the number of Diſſenters at preſent ſitting in the Houſe of Commons, bears not a juſt proportion to their numbers in the ſtate. And why, if the Corporation Act were repealed, the Diſſenters ſhould be ſuppoſed to take immediate poſſeſſion of all the corporations in the kingdom, or indeed why they ſhould be ſuppoſed to acquire any diſproportionate influence in the management of them, it is not very eaſy to comprehend. If, however, any ſuch danger or inconvenience be alleged or pretended, it forms a powerful additional argument in favor of that reform of the national repreſentation, which, *previous to his acceſſion to office*, was ſo favorite an object with the preſent miniſter.

Another argument for the expediency of the repeal has been deduced, as Biſhop Horſley goes on to obſerve, from the abſurdity of requiring a ſtronger ſecurity from thoſe who are to execute the

the laws, than from thoſe who are to make them. "A greater caution, ſay the diſſentient Peers in the memorable proteſt before quoted, ought not to be required from ſuch as are admitted into offices, than from the members of the two Houſes of Parliament, who are not obliged to receive the Sacrament to enable them to ſit in either Houſe." And Biſhop Sherlock himſelf ſays, and very conſiſtently, as an advocate for a total excluſion of Diſſenters from all power and authority, "that it muſt, upon the leaſt reflection, appear very ſtrange to advance a man to a ſhare in making laws for the nation, and yet to deny him all other power." But Biſhop Horſley affirms, by a very extraordinary ſtretch of candour, in oppoſition to Biſhop Sherlock, that no danger is to be apprehended from Diſſenters in Parliament, unleſs they were to become a majority. A majority in the Upper Houſe they never can become, without ſuch an impolitic enlargement of the peerage as is little to be apprehended. A majority in the Houſe of Commons they never can become, unleſs the Diſſenting intereſt firſt gets an aſcendency in corporations. The Corporation Act, by checking the too luxuriant growth of the Diſſenting intereſt; and the prerogative of the crown, by keeping the peerage pure, are, as it were, the teſts which ſeverally anſwer for the principles of either Houſe of Parliament," p. 48, 49. But if the

prerogative of the crown may be relied upon for "keeping the peerage pure," will his Lordſhip condeſcend to inform us, why not alſo for keeping the executive offices of government pure? And as he is pleaſed to allow, that no danger is to be apprehended from Diſſenters in Parliament, unleſs they become a majority, will this great ſtateſman and prelate farther have the goodneſs to declare upon his CONSCIENCE, *if the* LAWS *have happily* LEFT *his Lordſhip a* CONSCIENCE, whether, in conſequence of the repeal of the Corporation Act, he really believes the Diſſenters would become a majority in Parliament, when the higheſt calculations do not make them amount to one-tenth of the nation. For his Lordſhip does not even pretend to point out any real miſchief, or ſhadow of miſchief, which could poſſibly ariſe either to church or ſtate, from admitting a proportionable number of citizens of this deſcription to offices under the government, or to ſeats in the legiſlative aſſemblies. But in truth, were all oppreſſive reſtrictions removed, the political influence of the Diſſenters is not ſuch as to juſtify the expectation that they would attain even to that ſhare either of legiſlative or executive power in the ſtate, which would in any degree correſpond with their numbers or property. For the ſtrength of the Diſſenting intereſt lies almoſt entirely in the middle claſſes of ſociety, and very

very few amongſt them poſſeſs opulence or influence ſo extenſive as to awaken in them the ambition of obtaining ſeats in Parliament, or to furniſh them with the means of gratifying it. And for the ſame reaſon their ſhare in the executive adminiſtration of government would be comparatively trivial, even ſuppoſing the moſt perfect impartiality in the diſpoſal and diſtribution of offices. If, however, we admit the wild and random ſuppoſition, that at ſome future period manifeſt ſymptoms of an abſurd and extravagant ambition to acquire an aſcendency in the legiſlature ſhould appear in the attempts of the Diſſenters to engroſs thoſe corporations which return members to Parliament, it would be very eaſy, in ſuch ſuppoſed but highly improbable circumſtances, to deviſe expedients much more effectual than the preſent Teſt, for the purpoſe of counteracting thoſe viſionary and aſpiring projects.

This leads us to a third argument for the political expediency of the propoſed repeal, which is this:—That the Sacramental Teſt is not and cannot be an effectual ſecurity to the church, becauſe it does not anſwer the purpoſe of excluſion. A great proportion of the Diſſenters do not ſcruple occaſional conformity to the church, and many of this deſcription are in actual poſſeſſion of civil offices, and we ſee that they con-

duct themſelves in ſuch public ſituations with as much propriety as others; that neither danger in the remoteſt degree to the church, nor the ſlighteſt inconvenience to the ſtate, reſults from their admiſſion. "This argument," ſays Biſhop Horſley, with his uſual ſkill in logic, "only proves the expediency of Queen Anne's ſtatute againſt occaſional conformity, and deſerves no farther anſwer;" *i. e.* becauſe the practice of occaſional conformity is found as harmleſs and even beneficial to the ſtate as it is favorable to individuals, there ought to be a law made on purpoſe to prevent it. Let thoſe anſwer this reaſoning who think that it deſerves an anſwer. If the ſtatement of the committee, in this inſtance, needed illuſtration or enforcement, it might be obſerved, that the argument reſolves itſelf into this dilemma. Either the church is ſufficiently ſecured from any ſuppoſed hoſtile deſigns of the Diſſenters, by ſanctions independent of the Teſt, or it is not: if it is, the Teſt is tyrannical and unjuſt: if it is not, the preſent Teſt is obviouſly incapable of affording that ſufficient ſecurity. "A broken reed at beſt, perhaps a ſpear"—for it is no effectual bar againſt the admiſſion of Diſſenters to the higheſt offices of the ſtate. In what reſpect then can it be regarded as a bulwark againſt the executive magiſtrate, if the crown ſhould

ſhould be diſpoſed to countenance thoſe hoſtile deſigns? And as the Teſt neither extends to members of Parliament as ſuch, nor to their conſtituents, of what uſe is this boaſted bulwark, if the attack ſhould be made from this quarter? However imminent the danger, in vain will the church implore protection from the Teſt. The fact, however, is, that no human inſtitution ever ſtood leſs in need of reſorting to ſuch miſerable expedients for ſupport. But if an effort, even in times the moſt peaceful and proſperous, is made for the removal of a grievance ſo flagrantly injurious, and as a meaſure of defence ſo palpably uſeleſs, let a Sacheverel or a Horſley ſound the alarm, and we ſhall be almoſt deafened with the clamors of the idiot vulgar of all ranks, "bawling in their ſenſeleſs mood, that THE CHURCH IS IN DANGER." Nor will ſuch flaming zealots ever think the church in a ſtate of ſecurity, ſo long as thoſe who are the objects of their malevolent and reſtleſs jealouſy are allowed to poſſeſs the ſmalleſt ſhare of civil or political authority. Inſtead of inferring from the inefficacy of the preſent Teſt, combined with the peaceable and loyal demeanor of the Diſſenters for a century paſt, the inutility of any Teſt, Biſhop Horſley draws the perverſe and abſurd concluſion, that it ought to be enforced by harſher and more rigid ſanctions. But the Teſt Laws alone are far from being adequate

to the purpoſe of ſecuring a monopoly of power. Before the church can enjoy the pious ſatisfaction of trampling her enemies under her feet, ſhe muſt recur to the old ſyſtem of penal ſtatutes, of conventicle acts, and ſchiſm bills. All theſe are parts of one conſiſtent plan; but a Teſt, unſupported by ſuch meaſures as theſe, is calculated, not for any purpoſe of ſafety or defence, but merely of irritation. It is a meaſure not of ſuppreſſion but of oppreſſion; not of policy, or wiſdom, or utility, but of paſſion, rancour, and revenge.

Before the topic of occaſional conformity is diſmiſſed, it may be amuſing to obſerve the critical dilemma to which the Diſſenters are reduced with reſpect to the practice of it. If they ſcruple occaſional conformity, or profeſs to conſider it as in their circumſtances unjuſtifiable or unlawful, the moſt violent exclamations are immediately raiſed againſt them, on account of their illiberal and narrow-minded prejudices, their abſurd and obſtinate bigotry. Such, it is ſaid, is their rancor and animoſity againſt the church, that not the moſt powerful motives of intereſt will prevail with theſe implacable and dangerous adverſaries to join even occaſionally in her communion. On the other hand, if they do not ſcruple occaſional conformity, nor think it neceſſary to reject the temporal advantages annexed to it, they are inveighed againſt, as a baſe and ſordid people, wholly

wholly devoid of honor or of rectitude; who from lucrative motives will ſhamefully evade the law, and join in occaſional communion with a church from which they profeſs to believe it their duty to diſſent. In a word, if they do conform they are knaves, and if they do not they are fools. In the mean time it is poſſible at leaſt that perſons, not wholly deſtitute either of common honeſty or common ſenſe, may be divided in opinion as to the lawfulneſs or propriety of conformity to a church ſtill more immaculate, if any ſuch could be ſuppoſed, than even the church of England in circumſtances of ſuch peculiarity: though it ſhould ſeem, that if conformity to the national church be in itſelf lawful, which few will diſpute, the occaſional exerciſe of that liberty, ſo conſonant to the feelings of Chriſtian charity, cannot be rendered unlawful by the acquiſition of any temporal advantages which may be incidentally derived from or connected with it.

It remains only to beſtow a moment's attention upon the arguments, ſuch as they are, againſt the repeal, with which this vaunting and vaunted champion of the church concludes his incomparable performance. In the firſt place, the Diſſenters are chargeable, in his Lordſhip's opinion, with a groſs abſurdity in applying for relief, becauſe they ſuffer no actual grievance. No

grievance! What, is it no grievance to be excluded by law from all offices of truſt, emolument and authority? No—for the law alſo exempts the complainants from offices of burden; and Biſhop Horſely will undertake to demonſtrate mathematically, that "as equal forces acting in oppoſite directions deſtroy each other's ſeparate effects, the immunity on the one hand compenſates the inability on the other; and the total effect of the Teſt Laws upon the body of Diſſenters is neither grievance nor advantage: and where no grievance hath taken place, no relief can be afforded." And thus in aſking relief, the Diſſenters ſtand plainly convicted of the abſurdity charged upon them by the Biſhop. Upon the ſame principles alſo it muſt be preſumed that if the preſent ſtate of things were reverſed, and the members of the Eſtabliſhment were excluded by law from all public offices of emolument and authority, and Diſſenters alone deemed qualified to fill the vacant offices with the offices of burden incidentally annexed to them, his Lordſhip would ſtrenuouſly maintain, that the Eſtabliſhment would loſe nothing and the Diſſenters would gain nothing by this alteration; "for as equal forces acting in oppoſite directions deſtroy each other's ſeparate effects," the total effect of the change, as his Lordſhip would *no doubt* be able perfectly to ſatisfy his friends on

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the loſs of their places, would be neither grievance nor advantage.

But his Lordſhip has ſeveral other arguments to produce nearly as good as this. The repeal of the Teſt he inſinuates to be a violation of the King's Coronation oath: "for to maintain and preſerve inviolably the ſettlement of the church is a part of that oath." It is however a falſe and ſhameful imputation upon the church to affirm, that to reſtore any claſs of men to their juſt rights would weaken or impair the ſettlement of the church. It conveys alſo by implication a ſcandalous reflection upon the monarch, who has already given his aſſent to the repeal of the Teſt in Ireland.

But this repeal is contrary, as his Lordſhip pretends, to the Treaty of Union, which makes the Teſt Act perpetual. This, however, as an hiſtorical aſſertion, is flagrantly falſe. And it even appears on the Journals of the Houſe of Commons (Vol. xv. p. 283), that a motion made for the expreſs purpoſe of inſerting the Corporation and Teſt Acts by name in the Treaty of Union, in order to render them irrevocable, was rejected by the Houſe. That any poſitive human law ſhould be held unalterable by human authority, is a palpable ſolecifm in the theory of government. The Teſt Act is one of thoſe Acts which concern the kingdom and church of England,

England, in contra-diſtinction to the kingdom and church of Scotland. And if Scotland ſhould, by an injurious and improbable ſuppoſition, be imagined capable of degrading herſelf ſo far as to inſiſt, that a repeal of the Teſt Act implicates a violation of the Treaty of Union, England might even, if the act were formally inſerted in the Treaty, with the higheſt propriety reply, that in all pacta conventa thoſe conditions which are previouſly ſtipulated by either of the contracting parties in its own favor, and in which the intereſt of the other is not involved, though they are ratified in ever ſo ſolemn a manner, are nevertheleſs alterable with the free conſent of the party who is alone intereſted therein. This is perfectly conſonant to the nature of ſuch tranſactions; for how can either party, with the ſhadow of juſtice, complain of any infraction of the original ſettlement, if no alterations which affect them are admitted but at their own requeſt, or with their own free conſent? Or how, with the ſhadow of reaſon, can it be pretended, that the free conſent of the party intereſted is not a ſufficient warrant for ſuch alteration?

But the crown itſelf is ſubject to this Teſt. And with what decency, aſks the Biſhop, may ſubjects ſolicit a liberty which the conſtitution hath denied to royalty itſelf? This is an argument which every Tory will urge with triumph, and

and which every Whig will reject with contempt. There are certainly various reſtraints to which the ſupreme magiſtrate ought to be ſubject, and from which the ſubject ought to be exempt. It is highly proper, for obvious reaſons, that the ſupreme magiſtrate ought to conform to the eſtabliſhed religion; and if he does not chuſe to wear the crown upon theſe terms, he is at liberty to reſign it. But far from inferring that becauſe the King is liable to this reſtraint, the people ought to be ſo too, it would be more reaſonable to ſay, that this reſtraint is impoſed upon the monarch in order to obviate the neceſſity of impoſing it upon the people. ONE is bound that millions may be free. For ſo long as the monarch is of the eſtabliſhed church, no danger can be apprehended from any abuſe of the executive power. But Biſhop Horſley is of the number of thoſe who hold "the enormous faith of millions made for one." It is well known that the monarch is reſtrained by law from marrying a Catholic; and if this law alſo had been extended to the whole community, this moſt learned and Right Reverend Commentator, this modern Grotius in lawn ſleeves, would, no doubt, have defended the juſtice and equity of the reſtriction: "for with what decency," he would have ſaid, "may ſubjects ſolicit a liberty which

which the conſtitution hath denied to royalty itſelf?"

His Lordſhip's laſt argument is, "that in the year 1772, when the Diſſenting miniſters were petitioning Parliament for relief from the ſubſcriptions required by the 1ſt of William and Mary, public promiſes were made in the name of the body, that, if gratified in that requeſt, they would eſteem their toleration perfect, nor ever extend their views to any farther indulgence. The Diſſenters now ſolicit a repeal of the Teſt Laws. The ſtrongeſt aſſurances, it is ſaid, will be given in the name of the party that, gratified in this requeſt, they never will extend their views to any farther *indulgence*. What ſecurity can the Nonconformiſts give, that they will feel themſelves more firmly bound by the promiſes of 1787 than they are now bound by the promiſes of 1772? In confirmation of theſe apprehenſions, his Lordſhip is pleaſed to refer us to Dr. Kippis's "Vindication of the Application of the Diſſenters for an Enlargement of the Toleration Act." But by what authority can any man, however reſpectable in his private capacity, pretend to make vows and promiſes in the name and on the behalf of a claſs of citizens, conſiſting of many hundred thouſand individuals, all free and independent as himſelf? It would juſtly be deemed the height of preſumption and temerity.

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With this extravagance, however, Dr. Kippis certainly is not chargeable for expreſſing, in his very able and ſpirited vindication of the application to Parliament in 1772, the wiſhes of himſelf and his reverend brethren, who had taken an active part in that attempt for relief, to return to their former peaceful and profeſſional ſtudies when the object of it ſhould be attained. Doubtleſs, the ſole conſideration with every juſt and equitable government can only be the reaſonableneſs or unreaſonableneſs of the requeſt actually made. And it is an abſurdity worthy, indeed, of Biſhop Horſley, but not ſurely to be imputed to the legiſlature, to refuſe a reaſonable petition, becauſe it *may* be followed by another which *may* happen to be unreaſonable. As to the *indulgences* which his Lordſhip ſpeaks of, the Diſſenters ſtile them much more properly by the name of *rights*. It would be contemptible hypocriſy to pretend that all temporal honors and emoluments are to them matters of indifference. They are no doubt as willing to ſhare in them as the reſt of mankind. And for this they are reproached with inordinate ambition and luſt of riches! Thoſe who, like Biſhop Sherlock and Biſhop Horſley *, affect this language while they are

* It is an unpleaſant circumſtance, in this diſcuſſion, to be compelled ſo frequently to join together the unequal names of Sherlock

are themſelves clothed *in purple and fine linen*, lodged in palaces and placed upon thrones amidſt the princes of the land, ſurrounded with all the luxuries that art or nature can ſupply, forcibly remind one of Father Paul, the fat pampered Friar in the comic opera of the Duenna, who takes upon him to reprove a poor ſtarveling lay brother for his carnal propenſities. "What!" ſays he, "if you hunger, does not the earth produce roots and herbage ſpontaneouſly; and, if you thirſt, is there not the chryſtal ſpring?"

Upon the whole it appears, to borrow the words of the Lord Biſhop of Rocheſter, p. 55, with a few neceſſary variations, "that the plea of the Nonconformiſts, for the repeal of the two acts in queſtion, is valid in every part; that they have a reſiſtleſs claim upon the gratitude, the juſtice, and the impartiality of the Britiſh government; that their objections to the Sacramental Teſt, as an application of a religious ordinance to the ſecular ends of ſociety, and as a ſnare for

Sherlock and Horſley. The firſt is, indeed, *clarum et venerabile nomen*, and it ought to be recollected, by thoſe who wiſh to avail themſelves of his authority, that this great Prelate, in his maturer years, ſo entirely diſapproved of the tract he had written on the ſubject of the Teſt Laws, that he would not even permit it to be printed with his other works.—Vide Biographia Britannica, Vol. VI.—Alſo Life of Sherlock prefixed to his Diſcourſes, 6th Edition.

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the conſciences of men, are ſuch as evidently demonſtrate this Teſt to be of a nature highly exceptionable; and that the whole weight of argument from political expedience is clearly in their favor."

But however concluſive may be the arguments in ſupport of a repeal of theſe oppreſſive and tyrannical laws, there exiſts a favorite and inexhauſtible theme of declamation, admirably calculated to inflame the paſſions and awaken the terrors of the vulgar, by the aid of which the advocates of perſecution endeavor to varniſh over the weakneſs, or rather the infamy of their cauſe. It is ſaid, that in the laſt century the conſtitution, both in church and ſtate, was actually ſubverted by the Nonconformiſts; and that if they are ever entruſted with power, experience ſhews the uſe that will certainly be made of it, and the ruinous conſequences that may be expected to enſue, "The ſectaries," as we are told by the Biſhop of Rocheſter, "beheld, under the reſtored monarchy, the renovation of the ſplendor of the church with an evil and malignant eye. And how cloſely the ſafety of the King and the conſtitution, and the peace of the kingdom, were connected with the preſervation of the church, the late troubles had ſufficiently ſhewn." And he boldly affirms, "that the ſpirit of the Solemn League and Covenant ſtill breathes in their

their writings and animates their conduct. And that if these two buttresses," as he stiles them, " of the national church, The Corporation and Test Acts, were removed, its very existence would depend upon the zeal and cunning of the Nonconformists to improve the opportunities of effecting its ruin."

In reply to all the pompous and tragical declamation of this sort with which his Lordship has so lavishly embellished his pamphlet, it will be sufficient to state a few unadorned historical facts, which may, perhaps, be of some use to calm the minds, and allay the apprehensions of those timorous mortals who shudder at the phantom of danger conjured up by these magic sounds; and who really fancy that when the state ceases to be unjust, the church must be inevitably undone.

It is certain that when the last Parliament of King Charles I. was convened, in the year 1640, the nation, inflamed by the violence of the Laudian persecution, and the detestable barbarities of the Ecclesiastical Court of High Commission, entertained very strong prejudices against the hierarchy. But Lord Clarendon himself admits that the abolition of episcopacy was not originally in the contemplation of this Parliament, but merely a reduction of its powers. When, in the course of the war, the assistance of Scotland became indispensably necessary, that assembly,

bly, actuated much more by political than religious motives, did indeed adopt the Solemn League and Covenant: and at the Treaty of Uxbridge the Parliamentary Commiſſioners, for the firſt time, inſiſted on the abolition of Epiſcopacy; and at the Treaty of Newport this demand was renewed in terms ſtill more peremptory. So little, however, were the ſafety of the King and the peace of the kingdom neceſſarily connected with the preſervation of Epiſcopacy, that it was, in fact, the King's obſtinate predilection for Epiſcopacy which was the immediate cauſe of the ruin of both. For CROMWELL, taking advantage of the long and vehement altercations which took place on this comparatively unintereſting and unimportant ſubject, marched his forces to the metropolis, and by acts of the moſt atrocious and deteſtable violence traitorouſly ſubverted the authority of the Parliament, ſeized the perſon of the King, and after the mockery of a trial, cauſed him, to the aſtoniſhment of the world, and the terror of future tyrants, to ſuffer the ſentence of death by the hands of a public executioner. This was the man who, at the head of an army of enthuſiaſts and fanatics, paſſionately devoted to their leader, effected the ſubverſion of the conſtitution, and not the Preſbyterians; who, when they directed the reſolutions of the Houſe of Commons, under circumſtances of great difficulty and danger,

acted with wiſdom, probity, and moderation; who were anxious to effect an accommodation with the King upon terms as favorable to the monarch as they conceived that a juſt regard to the rights, the liberties, and the ſafety of the nation would admit; who magnanimouſly reſolved, in the true ſpirit of Roman patriotiſm, at the very moment that the Houſe in which they ſat was ſurrounded with hoſtile armaments, and the ſword was ſuſpended over their heads by a ſingle hair, "that the King's conceſſions were a ſufficient foundation for Parliament to proceed upon in the ſettlement of the kingdom;" and who, after the death of the uſurper, at length accompliſhed the reſtoration of the monarch and the monarchy. For that the Preſbyterian intereſt predominated in the Convention Parliament, no one, Biſhop Horſley perhaps excepted, will venture to deny.

For which of all theſe tranſactions are the deſcendants of theſe virtuous citizens, of Hollis, of Waller, of Maynard, and of Anneſley, to be diveſted of the privileges of citizens? The propoſed abolition of Epiſcopacy, when the Preſbyterians conſtituted a majority of the Parliament and of the nation, was a meaſure perfectly agreeable to the genius and ſpirit of a free conſtitution, which knows nothing of divine or indefeaſible rights. And it was juſtified on every principle of policy, not merely by a retroſpect

to thoſe barbarities which had rendered the hierarchy odious to the nation, but by the neceſſity of conciliating the friendſhip and alliance of the Scottiſh nation, which entertained the fanatical idea that prelacy was an horrible enormity, and anti-chriſtian abomination. But the Biſhop of Rocheſter is eager to tell us that the preſent race of Nonconformiſts are actuated by the ſpirit not of the old Preſbyterians, but of the Independents and other enthuſiaſtic and democratic ſectaries, who were the determined enemies of monarchy, and the zealous ſupporters of the uſurpation of Cromwell. This, however, is an allegation unſupported by the ſhadow of evidence, and contradicted by the whole tenor of our hiſtory. The race of republicans, a few philoſophical theoriſts excepted, amongſt whom the celebrated Hume may be claſſed, has long been extinct: and it is a notorious and incontrovertible fact, that the Engliſh conſtitution is as highly valued by Engliſh Diſſenters as by Engliſh Churchmen. And if the Diſſenters have not yet given ſatisfactory proofs of their attachment to it, they would doubtleſs eſteem themſelves happy to be informed what proofs would be deemed ſatisfactory*. If it be ſaid that conformity to the

* By the execrable policy of the preſent reign, and more particularly of the preſent miniſter, the ſpirit of republican-

church is the only satisfactory proof of loyalty to the state, they reply, that they exercise one of the constitutional privileges of Englishmen, allowed and recognized as such by the state, in dissenting from the church; and to accuse them, upon this account, of disloyalty to the state, is a gross and palpable absurdity. And they say, moreover, that conformity to the church cannot be a satisfactory proof of loyalty to the state; because it happens to be perfectly well known, that the church itself, as distinguished from all the secular classes of the community, was, for a long series after the final establishment of our present constitution by the glorious Revolution, the most dangerous, inveterate, and determined enemy of the state. Cease, then, ye malevolent and senseless bigots! to reproach the Nonconformists with the disloyalty and rebellion of those for whose actions they are no more responsible than for the treasons of Wat Tyler or Jack Straw. And let the church give better and more decisive proofs than she has done in times past, of her own loyalty to the state, before she presumes to make conformity to her rites and ceremonies the infallible criterion of that loyalty in others.

ism has, indeed, revived with fresh vigour: and folly has kindled a flame which the utmost efforts of wisdom will find it extremely difficult, if not absolutely impossible to extinguish.

ESSAY XXIV.

ON GOVERNMENT AND CIVIL LIBERTY.

AN elegant modern writer, to whom the world is indebted for a ſtriking, and in ſome reſpects a juſt view of the internal evidence of Chriſtianity, has been pleaſed alſo, in a late Volume of Diſquiſitions, to communicate to the public his ſentiments on Government and Civil Liberty; which, conſidering the preſent advanced ſtate of knowledge relative to thoſe topics, are, it muſt be confeſſed, very extraordinary. He allows that "the ſubject has been much hackneyed;" but he is induced to take up his pen in order to expoſe and confute "thoſe falſe and miſchievous principles which," he ſays, "have of late been diſſeminated with unuſual induſtry, and are as inconſiſtent with common ſenſe as with all human ſociety, and which happily require nothing more than to be fairly ſtated to be refuted." Who would not have ſuppoſed, from this preface, that attempts had been made to revive the exploded ſyſtems of Hobbes or Filmer; and that Mr. Jenyns, moved with juſt indignation to ſee the ſimple and rational

principles of Mr. Locke again called in queſtion, after their authority ſeemed to be finally eſtabliſhed by a preſcription of almoſt a century, had determined to employ his eloquence and ſagacity in their ſupport. How great, then, muſt be our aſtoniſhment, when we diſcover that the principles which appear to Mr. Jenyns ſo full of abſurdity and miſchief, and which diſturb his mind with ſuch alarming apprehenſions, are no other than the principles of Mr. Locke himſelf, and of his moſt diſtinguiſhed followers. And it is remarkable, that though in the opinion of Mr. Jenyns they require no other refutation than to be fairly ſtated, they have been gradually gaining ground not in England only, but throughout Europe; ever ſince Mr. Locke, in conſequence of the ever memorable Revolution, was employed in the very act of refutation referred to by Mr. Jenyns.

The firſt of theſe monſtrous poſitions in this—That all men are born equal. Here Mr. Jenyns has the candor to make a voluntary conceſſion. He allows that there is a ſenſe in which it may be true: and if it means only, *that all men are equally born*, he will not take upon him to diſpute the truth of it. Of this, however, Mr. Jenyns is poſitive, "that in every other ſenſe it muſt be falſe; for ſome are born beautiful and healthy, and ſome with bodies diſtorted and diſeaſed; ſome

ſome with minds fraught with the ſeeds of wiſdom and genius, others with thoſe of idiotiſm and madneſs; ſome are born to affluence and honor, others to labour and poverty." Now how ſuch perſons can be ſaid to be born equal, meaning, no doubt, in the inſtances ſpecified, Mr. Jenyns deſpairs, and who, indeed, would not deſpair of being able to comprehend? But by aſſerting the natural equality of mankind, Mr. Locke meant, perhaps, nothing more than to intimate that all the diſtinctions of rank and power which prevail in civil ſociety are artificial diſtinctions; that unleſs founded upon the baſis of public utility, they are violations of natural right. Who, or where is the man veſted with inherent authority? or what can that ſpecies of civil or political authority be, which he does not derive from the community of which he is a member? And to that community he muſt conſequently be reſponſible for the juſt and proper exerciſe of it. "But ſuppoſing," ſays Mr. Jenyns, "that they were all born equal, would this prove, what is *always* intended to be proved by it, that they ought always to continue ſo?" Here Mr. Jenyns is chargeable with a trifling inaccuracy. Inſtead of *always* intended, truth required him to ſay *never* intended: and this amendment may ſuperſede the neceſſity of an anſwer to the queſtion, which he ſeems to put

with ſome degree of triumph. No one ever yet inferred, from the natural equality of mankind, that civil and political diſtinctions were unlawful or unjuſt. But Mr. Jenyns, perhaps, thought that as general rules admit of ſome exceptions, the principles of Mr. Locke, in this inſtance at leaſt, admitted of a better refutation by being unfairly than even by being fairly ſtated.

But, 2dly, another poſition as monſtrous as the former is, "that all men are born free." This, Mr. Jenyns affirms, is ſo far from being true, that the firſt infringement of this liberty is being born at all, which is impoſed upon them without their conſent given, either by themſelves or their repreſentatives. Now here this great politician falls into a ſecond error ſimilar to the former. And as by all men being born equal, can be rationally meant nothing more than that all men were equally born, ſo by all men being born free, we are to underſtand only that all men are freely born. But this ingenious explanation is offered merely to be oppoſed. "How can a man," Mr. Jenyns diſdainfully exclaims, "be born free, who during the firſt nine months of his exiſtence is confined in a dark and ſultry priſon, debarred from light and air, till at length by an *Habeas Corpus*, brought by the hand of ſome kind deliverer, he is ſet at liberty. And what kind of liberty does he then enjoy? He is bound hand

hand and foot, and fed upon bread and water for as long a period. He is afterwards placed in a ſtate of the ſevereſt diſcipline, firſt under a nurſe and then a ſchoolmaſter, both equally tyrannical in their ſeveral departments. In this ſtate of ſlavery he continues till he commences involuntary ſubject of ſome civil government, to whoſe authority he muſt ſubmit, however ingeniouſly he may diſpute her right, or be juſtly hanged for diſobedience; and this is the ſum total of human liberty." Now if Mr. Locke meant to aſſert that man, by the conſtitution of his nature, has a free option whether he will be born or not, or that he can be conſidered as in any ſenſe a free and independent being, during his cloſe confinement in that dark and ſultry priſon to which Mr. Jenyns alludes, it would be labour loſt to attempt his defence. As for nurſes, ſchoolmaſters, and we may add kings, Mr. Locke certainly did not wiſh to deny that they were, generally ſpeaking, tyrants in their ſeveral departments. Nor did he attempt to inſinuate that flogging would not be the probable conſequence of reſiſtance in the one caſe, or hanging in the other. Nay he was far from denying that theſe puniſhments might be even juſtly diſpenſed. All that he pretended to ſhew was, that the authority of the great and of the petty tyrant ſtood upon the ſame general foundation; that as there was no natural diſtinc-

diſtinction between the ſcholars and the ſchoolmaſter, ſo there was juſt as little between the monarch and his ſubjects. As the ſchoolmaſter was not born with an inherent right of flogging, ſo the monarch was not born with an inherent right of hanging, but that all were born equal and free; *i. e.* that no one man had a right to aſſume a power of controlling or puniſhing another. But it did not follow, at leaſt Mr. Locke did not ſeem to ſuſpect that it followed from thence, that it was not lawful or expedient for the community to inveſt certain individuals with different degrees of power, which they would be under an indiſpenſable obligation, ariſing from the nature of the truſt, to exerciſe for the benefit and advantage of the ſociety to which they belonged, and to that ſociety they muſt be ultimately reſponſible for the due and faithful execution of it.

3dly, We now proceed to the diſcuſſion of another ſhocking maxim, or principle, falſe, miſchievous, inconſiſtent with common ſenſe, and ſubverſive of all civil ſociety—viz. "That all government is derived from the people." There is, indeed, a ſenſe in which Mr. Jenyns admits even this maxim to be true. "It is true," ſays he, "that all government is ſo far derived from the people, that there could be no government if there were no people to be governed."

How

How great are the obligations of an author to a ſagacious and able commentator! According to the new interpretation of this famous maxim, a monarch derives his authority from the people exactly in the ſame manner in which a ſhepherd derives his power from his flock; if there were no ſubjects there could be no king; if there were no ſheep there could be no ſhepherd. If the admirers of Mr. Locke could ſo far lay aſide their prejudices as to acquieſce in this interpretation, ſo natural and eaſy, how effectually would it preclude all animoſities and contentions reſpecting the theory and foundation of government. For Hobbes, Filmer, and Mandeville themſelves would not have the effrontery to deny, that in this ſenſe the axiom was unqueſtionably juſt. The fame of Mr. Locke would alſo be greatly advanced by this means; for unfaſhionable as his principles may now ſeem, when once they were diſcovered to be capable of ſo liberal an interpretation, Kings and Princes would vie with each other in doing honor to his memory: his works might adorn the library of Fez, and his ſtatue be erected at Conſtantinople by command of the Grand Seignor.

After all, there is a ſenſe which Mr. Locke might, perhaps, have more immediately in his view, and which may not, to every apprehenſion, carry its own refutation along with it." *All go-*

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vernment is derived from the people, i. e. All perſons poſſeſſing civil authority, whatever be the form of government, may be conſidered as holding their offices either actually or virtually from the choice and deſignation of the people. In other words, government is a truſt delegated from ſome particular community to certain individuals for the general good and welfare of that community. It follows, that when that truſt is abuſed, the people have a right to reſume it, and to provide for their own ſafety in whatever manner they ſhall deem moſt eligible. Now, that there is ſome plauſibility in this account, appears pretty evident from this conſideration; that no other rational or intelligible origin can be aſſigned to it. For to ſay that government derives its origin from force, is quite beſide the purpoſe. Mr. Locke is profeſſedly treating of juſt, lawful, and equitable government. If any government chooſes to found its authority upon force, that government, in effect, proclaims war againſt its own ſubjects; and reſiſtance, from that moment, becomes not only lawful, but meritorious. For any government to pretend to derive its authority immediately from God, is to add impiety to folly. God wills the general happineſs, and government is no otherwiſe an ordinance of God than as it is calculated to promote the welfare of mankind. No one can plead "a right divine to

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govern wrong." To refer government ultimately to God, is the ſame thing as to refer it to general utility, which is the baſis on which Mr. Locke endeavors to fix it. Submiſſion to civil as well as parental authority is, indeed, commanded in ſcripture without ſpecifying any particular exceptions; certainly not becauſe theſe general rules do not admit of exceptions, but becauſe common ſenſe is ſufficient to point them out without the aſſiſtance of an apoſtolic canon.

Mr. Jenyns contends, however, that "whatever right of control and reſumption the people may poſſeſs, the exerciſe of this right is wholly impracticable from the very nature of government; for all government muſt conſiſt of the governors and the governed. If the people at large are the governors, who ſhall be the governed? All government is power with which ſome are intruſted to control the actions of others; but how is it poſſible that every man ſhould have a power to control the actions of every man? This would be a form of government in which all are governed by all: that is, in other words, where there is no government at all." How might it puzzle a plain man to reply to theſe elaborate and profound arguments, which ſeem ſo clearly to demonſtrate that it is abſolutely impracticable in the nature of things for the people to call their governors to account, and to puniſh them for mal-

mal-adminiſtration, if we fortunately had not plain matter of fact to appeal to in this caſe; and in imitation of the immortal Chillingworth, who on a well-known occaſion thought it ſufficient, in anſwer to all that his antagoniſt could urge, to cry out, "the Bible! the Bible! the Bible!" we may in the preſent inſtance content ourſelves with exclaiming, "the Revolution! the Revolution! the Revolution!"

Mr. Jenyns proceeds to make the following very extraordinary declaration. "I agree with theſe *pretended patriots*, that the people in every country have a right to reſiſt manifeſt grievances and oppreſſions, to change their governors, and even their conſtitutions, on great and extraordinary occaſions; whenever they groan under the rod of tyranny they have a right to ſhake it off, and form a conſtitution more productive of liberty." Amazing! Can it be Mr. Jenyns who makes theſe aſſertions? Why Sir, Mr. Locke himſelf never broached a more falſe, miſchievous and dangerous doctrine upon the ſubject of government than this. It contains indeed the very quinteſſence of all that Locke, Molyneux, Prieſtley and Price have ſaid upon this topic. Who could have thought that Mr. Jenyns ſhould be found at laſt to agree with theſe "pretended patriots" in this fundamental article of their political creed? It muſt be owned, indeed,

deed, that Mr. Jenyns ſeems to agree with theſe pretenders to patriotiſm in this matter better than with himſelf: for at no greater diſtance than a page or two preceding this declaration he peremptorily aſſerts, "that to ſubmit, or be juſtly hanged for diſobedience, is the ſum total of human liberty; that it is utterly falſe that the people have an inherent right of reſuming the government; and that the exerciſe of this right, if they had any juſt claim to it, is wholly impracticable." So that, upon the whole, we ſee that it is the deliberate opinion of Mr. Jenyns, with which he has judged it proper to acquaint the whole world, that the people poſſeſs a right which they have no right to poſſeſs, and that they may lawfully and properly exerciſe a power which they have no power to exerciſe.

The obſervations alſo which Mr. Jenyns makes upon the definition of the term *people* are very ſagacious, and he animadverts with the moſt juſt and pointed ſeverity upon thoſe men, who audaciouſly aſſert, "that the Peers of the Realm, the Repreſentatives of the Nation, the Paſtors of the Church, the Sages of the Law, and the whole body of Magiſtrates do not come within the meaning of the term—men who think that Solons and Lycurguſes are to be found only in tin-mines or coal-pits"—who deſcend into the bowels of the earth, not in ſearch of wealth, it ſeems,

ſeems, but of wiſdom; reſolving, with the preſumption of Polonius, "to find where truth is hid, though it were hid indeed within the centre." "Theſe are not the men," ſays Mr. Jenyns very cautiouſly and prudently, "whom I ſhould chuſe to truſt with unlimited power." And they muſt certainly be regarded as the more dangerous, on account of the aſtoniſhing ſecrecy with which they diſſeminate their ſentiments and carry on their deſigns: inſomuch that it was not at all ſuſpected that there were any ſuch men in exiſtence, till the diſcovery was made by Mr. Jenyns. Happy for us that his warning voice has ſounded in our ears, "Let no ſuch men be truſted."

It is now high time to paſs on to the 4th Propoſition, viz. that all government is a compact between the governors and the governed. Now it may be remarked, that as all the poſitions which Mr. Jenyns has undertaken to confute, confute themſelves when fairly ſtated, it would not have been good policy by any means in Mr. Jenyns to aim at making a fair ſtatement of them, which would of courſe leave nothing for him to do. Whereas by indulging in a liberty of miſrepreſentation, for which great authorities may be pleaded, he has acquired abundant ſcope for ingenious ridicule as well as ſerious argument. Thus in the preſent caſe we may obſerve, that Mr.

Mr. Jenyns affects to conſider Locke, and the reſt of the pretended patriots whoſe principles he oppoſes, as maintaining, "that at ſome remote period a formal agreement was actually entered into by the two contracting parties, by which the latter gave up a part of their natural independence in exchange for protection granted to the former; without which voluntary ſurrender no one man or body of men could have a right to control the actions of another. But all this," ſays he, "is a ridiculous fiction, intended only to ſubvert all government, and let mankind looſe to prey upon each other." Mr. Jenyns beſt knows what purpoſe this "ridiculous fiction" was intended to anſwer; but thoſe pretenders to patriotiſm who inculcate the doctrine of a political compact mean by it nothing more, than that the relative ſituation of the governors and governed in every civil community neceſſarily partakes of the nature of a compact. There is an original, a virtual, an implied compact ſubſiſting between the two parties, and which muſt ever continue to ſubſiſt. The two grand conditions of this compact, and which conſtitute the reciprocality of it, are on the one ſide protection and on the other obedience. It is from the very nature of the caſe as eſſentially binding on the two parties, as if it had been executed with all the formalities of an agreement between two in-

 dividuals.

dividuals. Obedience can never be due where protection is previouſly withdrawn; neither can protection be due where obedience is cauſeleſsly withheld. "But," ſays Mr. Jenyns, "compact is repugnant to the very nature of government, whoſe eſſence is compulſion, and which originates always from neceſſity, and never from choice or compact; and it is the moſt egregious abſurdity to reaſon from the ſuppoſed rights of nature in an imaginary ſtate of nature—a ſtate the moſt unnatural, becauſe in ſuch a ſtate they never did or can ſubſiſt, or were ever deſigned for." Now with all due deference to the opinions of this ingenious writer, compact is ſo far from being repugnant to the nature of government, that it is eſſential to the idea of an equitable and legitimate government. If the eſſence of government is compulſion, in what does the eſſence of tyranny conſiſt? That a certain degree of coercion muſt be exerciſed by every government, in order to ſecure the ſalutary and beneficial purpoſes of government, cannot be diſputed: but the eſſence of government is not therefore compulſion, but protection; *i. e.* protection is the ſole end and object of government: compulſion being entirely ſubordinate to it, and no otherwiſe juſtifiable or admiſſible, than as it is capable of being made ſubſervient in ſome mode or other to the advancement of that end.

Again,

Again, "government," fays Mr. Jenyns, "originates always from neceſſity, and never from choice or compact." If by neceſſity he means only a political neceſſity, or an urgent and obvious want of ſome common bond of union to maintain peace and order in ſociety, no one denies it: but then ſuch a neceſſity is very conſiſtent with ſuch a virtual compact as Mr. Locke contends for, nay it implies it. For this neceſſity is either only another term for public utility, or, not to deſcend to ſcholaſtic cavil, it ariſes from and is founded wholly upon it. Therefore if that government which is founded upon public utility implies that certain conditions are to be obſerved, the government that is founded upon political neceſſity implies exactly as much; the diſtinction is merely verbal. But if Mr. Jenyns means by neceſſity lawleſs force, then the idea of a compact is indeed excluded. Should any ſovereign preſume to aſſert ſuch a claim, there is no other remedy than to oppoſe force to force. "If he has riſen by force, then force muſt pull him down." "But it is a moſt egregious abſurdity," ſays Mr. Jenyns, "to reaſon from the *ſuppoſed* rights of mankind in an imaginary ſtate of nature," &c. If, however, theſe *ſuppoſed* rights are real rights, it can never be abſurd to reaſon from them. On the contrary, this is a very natural, eaſy and ſatisfactory way of ana-

lyzing the complex idea of government, and of reducing it to its original principles. What ſhould we think of a mathematician who ſhould object to Sir Iſaac Newton's demonſtration of the theory of gravitation, becauſe it is ultimately founded upon a few ſelf-evident axioms? With juſt as much reaſon does Mr. Jenyns object to Mr. Locke and others, that their ſyſtem is founded on certain ſuppoſed abſtract truths. It is as true that all men are born equal in reſpect to their rights, as that all the parts are equal to the whole: and Mr. Locke is as much at liberty to argue from the former axiom as Sir Iſaac Newton from the latter. And it is no more neceſſary for one philoſopher to ſhew that men ever actually exiſted in a ſtate of equality, than for the other to prove that a whole was ever actually divided into parts.

The 5th and laſt of theſe falſe, miſchievous, and abſurd propoſitions, which Mr. Jenyns has for the benefit of mankind undertaken to refute, leſt the refutation which ariſes from a ſimple ſtatement of them ſhould fail to produce univerſal conviction, is this—"that no government ought to ſubſiſt any longer, than it continues to be of equal advantage to the governed as to the governors." Mr. Jenyns's reaſon and underſtanding ſeem to ſuffer as rude a ſhock from this maxim as from any of the former. "If this propoſition," ſays he, "is adopted, and by advantage,

vantage, wealth and power are to be underſtood, there is an end of all government at once; for the greateſt ſhare of theſe muſt be poſſeſſed by the governors. On this principle, therefore, the governed would have a perpetual right of reſiſting, and every government ought to be diſſolved at the moment of its commencement." Here then Mr. Locke and his friends are reduced to a moſt perplexing and perilous dilemma. Either they muſt ſubmit to the diſgrace of retracting one of their favorite and fundamental maxims; or they muſt acknowledge that the theory they adopt leads to an abſolute ſubverſion of all government, and authorizes and eſtabliſhes, to uſe Mr. Jenyns's own words, "a ſyſtem of anarchy." But on *deep reflection* it may be conjectured, that when Mr. Locke, or any other writer profeſſing his principles, aſſerted that no government ought to ſubſiſt any longer than it continues to be of equal advantage to the governed as to the governors; their meaning might poſſibly be, not that the governed ought to poſſeſs wealth and power equal to the governors, but that thoſe wiſe and beneficial purpoſes for which government was inſtituted ought to be extended no leſs to the governed than to the governors: that governors ſhould act upon this juſt and equitable principle, that it is as truly incumbent upon them to provide for the eaſe, happineſs and ſe-

curity of the meaneſt claſs of ruſtics, as of the higheſt rank of nobles; that if any individual entruſted with the powers of government were ſo loſt to common ſenſe and common decency as to profeſs "the enormous faith of millions made for one:" if he could poſſibly be ſo ignorant of, or ſo far forget the nature of his office and the obligations ariſing from it, as to ſuppoſe that his own perſonal aggrandizement, or the gratification of his ambition, his pride, or his revenge, were the objects for the ſake of which his fellow mortals, born his equals, entruſted him with power; or if he demonſtrated by his conduct that he regarded his ſubjects as abject wretches, not poſſeſſed of any natural rights, nor entitled to claim legal protection as the reward of legal obedience; then that government ought no longer to ſubſiſt; the compact is broken, and the obligations ariſing from it are diſſolved; the people have a right to reſume the powers of government, and to chuſe new governors, who ſhall be better diſpoſed or better qualified to fulfil the important duties of their reſpective ſtations.

This ſeems the beſt interpretation which can be put upon the falſe, dangerous, and deſtructive maxim in queſtion. And though Mr. Jenyns may inſiſt, that when thus fairly ſtated it confutes itſelf, it may be alleged, in behalf of Mr.

Mr. Locke, that our preſent happy conſtitution and government are founded upon this very maxim. The government under whoſe protection and patronage Mr. Locke wrote, was eſtabliſhed upon the ruins of a former government, which was not ſuffered any longer to ſubſiſt, becauſe the mutual obligations ariſing from the compact between the governors and the governed had ſuſtained the moſt groſs and flagrant violation. And though the new government was ſo imprudent as to make choice of a vindicator whoſe firſt principles and fundamental maxims are "falſe, abſurd, and impracticable," yet in one reſpect both parties may be deemed eminently happy, that notwithſtanding theſe maxims and theſe principles lie ſo extremely open to confutation, they have never yet been, and without the moſt diſtant pretence to inſpiration, it will be no preſumption to propheſy, that they never will be *actually confuted*.

Having vindicated Mr. Locke's principles of government from the formidable charges brought againſt them by Mr. Jenyns, with all the ability as well as gravity which the ſtrength of the attack ſeemed to require, it now remains to point out and guard againſt certain unwarrantable and dangerous inferences and deductions which have,

and frequently with the pureſt intentions, been made from Mr. Locke's principles.

A very able and excellent pamphlet, publiſhed at the commencement of the late war with America, and bearing the name of a moſt reſpectable man, who has equally and honorably diſtinguiſhed himſelf in the different capacities of a divine, a philoſopher, and a politician, contains a variety of remarks on the nature of civil liberty, upon which it may be of uſe, in this view, to offer ſome impartial ſtrictures.

Liberty is a term of very comprehenſive import; and the celebrated author referred to, Dr. Price, chuſes to conſider it under four general diviſions. Firſt, Phyſical Liberty; by which he means the principle of ſpontaneity. Secondly, Moral Liberty; or a freedom from the internal control or dominion of vice. Thirdly, Religious Liberty; or a freedom from external conſtraint in matters of conſcience; and Fourthly, Civil Liberty; which he defines to be the power of a civil ſociety or ſtate to govern itſelf by its own diſcretion, without being ſubject to the impoſitions of any extraneous will or power.

It is very obſervable, that civil liberty, according to the definition here given of it, however juſt that definition may be when applied to a ſtate or civil community, is not at all analogous to the other kinds of liberty here enumerated,

rated, which are entirely of a perſonal nature: and the argument is conſequently embarraſſed by not ſufficiently diſtinguiſhing between that ſpecies of liberty which belongs to a ſtate, and that which is the right of a ſimple individual. Civil liberty, in the latter ſenſe, is, according to the accurate definition of Archdeacon Paley, "the not being reſtrained by any law but what conduces in a greater degree to the public welfare." But the reſtraints which the public welfare indiſpenſably requires are ſo numerous and important, that the liberty of the individual muſt be extremely circumſcribed in compariſon of that of the community. It is not neceſſary to enter into the queſtion, whether one ſtate or community may lawfully exerciſe authority over another; or to what limitations ſuch authority ought to be ſubject. The purpoſe of theſe remarks is ſimply to ſhew, that civil liberty, conſidered as a perſonal right, is incapable of being enjoyed in that extenſive and romantic ſenſe for which Dr. Price ſeems to contend.

If the enjoyment of civil liberty is, as Dr. Price aſſerts, and all allow, what every man has a right to claim, it muſt be of ſome importance to aſcertain in what that liberty conſiſts. Dr. Price ſeems to imagine that liberty conſiſts in a man's actually ſharing in the powers of government, either in his own perſon or in the perſon of his

his repreſentative; the right of univerſal ſuffrage being, as he expreſsly ſays, eſſential to perfect liberty. Others more guardedly maintain, that liberty conſiſts in a total exemption from all unneceſſary reſtraint; and that power is no otherwiſe deſirable than as it contributes to the ſecurity of liberty. It is very certain, indeed, that a degree of power is abſolutely neceſſary for the accompliſhment of that purpoſe; and a government adminiſtered by the repreſentatives of the people is, on this account, only preferable to a deſpotic government, becauſe under ſuch a government there is a moral certainty that liberty will be better promoted and ſecured. Civil liberty is a natural indefeaſible right; but no particular form of government can pretend to ſtand upon ſuch a foundation. Government is an inſtitution for the benefit of the people governed; and that form of government which beſt conduces to the advancement of the public happineſs is the beſt government, whether it be monarchical, ariſtocratical, or democratical; and different nations, in different ſtates of ſociety, may require very different modes and forms of government. But if liberty conſiſts in a man's being his own legiſlator, then all forms of government but that of a pure democracy are unlawful. Dr. Price allows, indeed, that there may be the beſt reaſons for joining to a popular aſ-

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ſembly an hereditary council and a ſupreme executive magiſtrate; but what reaſons can there be which will authorize a violation of the firſt principles of liberty? For if perfect liberty conſiſts in a participation of the powers of government by a delegation to a body of repreſentatives choſen for a ſhort term, and ſubject to the inſtructions of their conſtituents, the eſtabliſhment of an hereditary legiſlative council, inveſted with equal, or nearly equal powers, muſt be a flagrant encroachment on liberty; and the negative voice of a ſingle individual upon the reſolutions of the repreſentative body muſt be abſolutely irreconcileable with the fainteſt image of it.

Again—if the eſſence of liberty conſiſts in a man's being empowered to give his ſuffrage on public meaſures, either perſonally or by the intervention of a repreſentative, then it follows that thoſe who do not actually enjoy this privilege, and who conſtitute a very great majority even in this country of freedom, are in a ſtate of ſlavery; and the female ſex in particular, not a ſingle individual of which is allowed to exerciſe this right, has no more reaſon to boaſt of its liberty in England than in Perſia or Turkey. If Dr. Price's definition of liberty conveys the true idea of it, theſe objections will no doubt admit of a clear and eaſy ſolution. But if this ſolution is not to

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be found, it muſt be acknowledged that the theory of Dr. Price involves in it an error of great magnitude, in making liberty to conſiſt in power, and what is ſtill more exceptionable, in a particular mode of exerciſing that power. If, on the contrary, liberty conſiſts in a total exemption from every ſpecies and degree of reſtraint which the public welfare does not render neceſſary, then we may with propriety proceed to conſider under what form of government we may reaſonably expect that this ineſtimable privilege will be beſt ſecured. And 1ſt, It is certain that liberty will never be advanced to its juſt and proper extent under any other than a popular government—and 2dly, Should this be ſuppoſed poſſible, it is equally certain that no dependence could be placed on the permanent poſſeſſion of it. Our experience of human nature does not permit us even to hope for ſuch a ſucceſſion of wiſe, juſt, and beneficent princes as would effectually ſecure this ſyſtem of liberty from the danger of violation. A country, therefore, under the abſolute government even of a Lewis XII. or an Henry IV. may be ſaid, in a ſenſe not remote from truth, to be enſlaved, even ſuppoſing the forms of a free conſtitution to be preſerved and the bleſſings of liberty actually enjoyed. A nation which depends for the continuance of its political happineſs and enjoyment of its civil pri-

privileges upon the will of one man is in a ſtate of bondage, however mildly or beneficently the deſpot may exerciſe his authority.

Monteſquieu truly affirms, "that the power of the people is not the liberty of the people;" but Dr. Price expreſsly argues upon the contrary ſuppoſition, and ſeems to conſider liberty as only another word for power. So far as the individuals of any community are admitted to participate, either perſonally or by repreſentation, in the management and direction of public affairs, ſo far and no farther are they poſſeſſed of liberty. If the truth of this poſition be admitted, Dr. Price may indeed with ſome appearance of reaſon brand the Engliſh conſtitution as a ſyſtem of ſlavery. It is moſt certainly not the end or object of this conſtitution, ſo juſtly celebrated, to inveſt all the members of the community, or even a majority of them, with that ſpecies of power, and much leſs with that right of control in which Dr. Price makes liberty to conſiſt; but merely to ſecure the ſalutary and beneficial purpoſes of government by the moſt efficacious means.

By allotting to a popular aſſembly the principal ſhare of legiſlative authority, the intereſts of the governors are inſeparably blended with thoſe of the governed; and thus, as Dr. Price himſelf elſewhere obſerves, "it is impoſſible the repreſented part ſhould ſubject the unrepreſented part

part to arbitrary power without including themſelves." By eſtabliſhing another diſtinct hereditary body of legiſlators, conſiſting of men of the firſt rank, influence, and opulence, a firm barrier is preſented againſt the ſudden and dangerous irruptions of democratic violence. Placed above the reach of vulgar prejudices, and free from the contagion of popular deluſion, ſuch an inſtitution is calculated to add wiſdom, ſtability, and dignity, to the meaſures of government; and the executive power is placed entire in the hands of a ſingle individual, in order that the meaſures agreed upon may be carried into effect with promptitude and vigor. And this great magiſtrate is allowed a negative upon the reſolutions of the other two branches of the legiſlative body, that he may be enabled to reſiſt any encroachments which the luſt of power, inherent in human nature, might induce them to make on his conſtitutional prerogative. This is an original and very wiſe plan of polity; and when compared with the different forms of government adopted by the free ſtates of antiquity, or thoſe which at preſent ſubſiſt, its ſuperiority is ſo great and manifeſt, that it cannot but excite emotions of ſurprize and admiration*. To judge of the ex-

* At the time this Eſſay was originally publiſhed the American Republic did not exiſt in its preſent improved form: and

excellence of this conſtitution by its conformity to that ideal plan of perfect liberty which a ſpeculative ſtateſman may frame in his own cloſet, would be romantic abſurdity. The grand enquiry is this—Does that form of government under which we live, or does it not, ſecure to us the full and permanent enjoyment of thoſe rights which we may juſtly claim in a ſtate of civil ſociety? Dr. Price, in the ardor of his zeal, will, without heſitation, anſwer in the negative: "for the perſons to whom the truſt of government is committed are choſen for long terms; they are choſen by a part of the people only; they are ſubject to no control from their conſtituents; and there is an higher will on which even theſe mock repreſentatives depend. So that the very idea of liberty is loſt; and it is an abuſe of language to retain the term."

Notwithſtanding the animation and eloquence of this declaration, it ſtill remains an inconteſtible fact that, from the æra of the Revolution, when the key-ſtone was put to this "Arch of Empire," liberty, both civil and religious, has been enjoyed by the inhabitants of theſe kingdoms in a degree far ſuperior to any thing known or even

and the Gallic and Ciſalpine Republics had no exiſtence at all. Of the two latter it would be premature to form any decided opinion till the revolutionary criſis is paſt. In theory they appear admirably juſt and equitable.

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imagined in any former age or country. Under this government no ſacrifice has been made in any inſtance of our fundamental rights; but, on the contrary, they have received ſeveral very ſignal and important confirmations *. If the repreſentative body is choſen by a part of the nation only, that part is ſufficiently numerous to ſecure an inſeparable union of intereſts between the repreſentatives and the people at large, which is the only real uſe of repreſentation. If the repreſentatives, when choſen, are ſubject to no controul from their conſtituents, ſuch freedom from controul is neceſſary to give dignity and efficiency to their proceedings; and an appeal to the people, upon every political queſtion that might ariſe, would be productive of every ſpecies of faction, anarchy, and confuſion. As to the *higher will* on which the repreſentative body is ſuppoſed to depend, it is eſſential to the firm and permanent duration of the authority of the executive magiſtrate that he ſhould poſſeſs a certain degree of influence over the legiſlative body. The conſtitution has, indeed, given him a negative upon their reſolutions. But by virtue of that

* It will be recollected that this Eſſay was written at an early and auſpicious period of the adminiſtration of Mr. Pitt, and long before that apoſtate miniſter had rendered himſelf the object of aſtoniſhment, deteſtation and terror, to the true and genuine friends of liberty and the conſtitution.

branch of his prerogative alone, he would be very ill able to withſtand the continual efforts by which a natural love of power would infallibly and inſenſibly incite that formidable body to aſſail or undermine his authority. Intereſt muſt be oppoſed to intereſt, and the ſole diſpoſal of the honors and emoluments of the ſtate, for this amongſt other important reaſons, is placed in the hands of the ſupreme magiſtrate, that he may be enabled to check the irregular or exorbitant ambition of the legiſlative aſſemblies, by oppoſing the private intereſt of the individuals who compoſe them to the public and collective intereſt of the body. And though it is impoſſible in this, as in a thouſand other caſes, to draw a preciſe line, and to ſay, with reſpect to the regal influence, thus far it ought to extend and no farther, yet nothing can be more obvious than that the total abolition of this influence, dangerous as its too great predominance muſt be deemed, would amount to no leſs than an abſolute ſubverſion of the conſtitution.

ESSAY XXV.

REFLECTIONS ON THE FRENCH REVOLUTION.

THE laſt ſparks of the flame of liberty in France ſeem to have been extinguiſhed by Cardinal Richelieu in the capture of Rochelle, and the final reduction of the Proteſtants. And in the ſucceeding reign it is well known how low the national character was ſunk and degraded by the incenſe and adulation offered at the ſhrine of an ambitious and imperious deſpot. The glorious and ſucceſsful reſiſtance of England to the tyranny of the Houſe of Stuart at that period ſeemed to make little impreſſion upon the minds of the French. All public duties and civil obligations were ſuppoſed to be comprehended in the term *loyalty*; and the abdicated monarch of Great Britain was regarded in France as a ſovereign unjuſtly and iniquitouſly diveſted of his crown by a treaſonable conſpiracy of his heretical and rebellious ſubjects. The efforts made by Louis XIV. to reſtore that wretched bigot to the throne of theſe kingdoms, met with the univerſal applauſe and approbation of his people, who

who conſidered them as acts of the moſt exalted heroiſm.

During the whole of that reign, and for many years afterwards, no ſymptoms appeared of any conſiderable change in the public ſyſtem of thinking. When the Duke of Orleans, Regent of France, was urged to correct ſome of the more flagrant abuſes in the ſtate, he replied, "I am ready for reformation, but the age I live in is not." And it was about the middle of the century that the dawn of a new and more enlightened æra was firſt diſcernible in the oppoſition of divers of the Parliaments to the arbitrary mandates of the monarch. The times, however, were unfavorable to the ſucceſs of their efforts; which were not, perhaps, directed by the dictates of ſound policy, ſo much as by the impulſe of paſſion and reſentment. And, before the concluſion of the reign of the late King, every proſpect of a melioration of the conſtitution or a reform in the ſtate ſeemed totally blaſted, by not merely the ſuſpenſion or baniſhment, but the abſolute annihilation of the Parliament of Paris, in conſequence of reiterated acts of diſobedience to the royal authority; and the ſubſtitution of a new court wholly dependent upon the crown.

At the acceſſion of the preſent ſovereign, however, who was anxious to acquire the confidence and affection of his people, which his predeceſſor

had ſo juſtly forfeited by the tyranny of his public and the profligacy of his private conduct, the Parliament of Paris was reſtored, and with it the hopes of the enlightened part of the nation revived. And though ſevere reſtrictions were impoſed upon that Aſſembly by the new monarch, they ſoon demonſtrated by their conduct that they were fully ſenſible of their own dignity and importance, and reſolutely determined to preſerve their rights and privileges ſacred and inviolate. The fact was, that a mighty revolution had now taken place in the minds of men, and they well knew that their oppoſition to the oppreſſive meaſures of the court would meet with the higheſt applauſe and the moſt zealous ſupport from the nation at large. A new claſs of illuſtrious writers had ariſen, the peruſal of whoſe works had, as by ſome potent charm, diſpelled the clouds of darkneſs, ignorance and bigotry in which the nation had been ſo long enveloped. Voltaire, Helvetius, Monteſquieu and Rouſſeau appeared moſt conſpicuous in the band. And though it muſt be acknowledged, that the radical ideas which they inculcate reſpecting the abſtract theory of government, the nature of the ſocial contract, the unalienable right of toleration, and the true and genuine ſpirit of laws, were tranſplanted from the Engliſh philoſophers, yet were they exhibited by theſe

great men in a garb ſo ſtriking, ſo attractive, ſo captivating, that delight and conviction accompanied each other. Never did philoſophy boaſt ſo glorious a triumph. Never were reaſon and truth ſo rapidly and extenſively diffuſed. The alliance with America, which was the reſult of the mad and ruinous politics of Great Britain, indelibly eſtabliſhed the impreſſion in favor of liberty, by affording them an opportunity of bringing their ſpeculative principles into act, and of fanning the riſing flame, by transferring that ſpirit which pervaded the circles of domeſtic life into the grand and intereſting ſcenes of civil and military tranſactions.

After the ſucceſsful termination of this war on the part of France, which was not effected but at the expence of a vaſt addition to the load of public debt under which ſhe already laboured, on an accurate inveſtigation into the ſtate of the finances, it appeared that the expenditure of the nation exceeded by a very enormous ſum its annual revenue, notwithſtanding the numerous reductions made by the court of the ancient civil and military eſtabliſhments. A grand effort of government, therefore, became neceſſary, in order to ſupply this alarming deficiency by the impoſition of new and heavy taxes. But the Parliament of Paris peremptorily refuſed to enregiſter the royal edicts iſſued for this purpoſe. Pro-

voked by reſiſtance, the monarch held in perſon a Bed of Juſtice, and commanded the proper officers to enregiſter the edicts. At the next meeting of the Parliament the act of the officers was declared nuil and void; as proceeding from compulſion and deſtitute of legal authority. The baniſhment of the Parliament was the immediate conſequence of this bold reſolution; and the eſtabliſhment of a new court, ſtiled "La Cour Pleniere," attempted, in order to execute its neceſſary functions. But the ſpirit of reſiſtance became univerſal Thoſe who preſumed to accept of ſeats in the new court were by the concurrent reſolutions of the provincial Parliaments and Municipalities declared enemies to their country. The common courſe of judicial proceedings was interrupted. The civil government ſeemed to have loſt its energy. Tumults every where prevailed; and matters were to appearance rapidly verging to a ſtate of anarchy and rebellion; when the King, who was manifeſtly deſtitute of that vigour which could alone oppoſe with effect, and of that wiſdom which gives dignity to conceſſion, ſuddenly determined to recal the Parliament, and at the ſame time to convene a meeting of the *Notables* of the realm; or to aſſemble, agreeably to ancient cuſtom in France, a Convention of the moſt conſiderable perſons in the kingdom of all ranks and orders, for the purpoſe of adviſing

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the crown in difficult and dangerous emergencies. On examination this aſſembly diſcovered, that the moſt flagrant embezzlements had taken place in the royal treaſury. The downfal of M. de Calonne, the Comptroller General of the Finances, was the immediate reſult of this diſcovery; and the elevation of M. Neckar, who had formerly occupied that important ſtation. The *Notables*, however, acknowledged their total incompetency to reform the abuſes or relieve the embarraſſments of the ſtate. And they concluded their deliberations by adviſing the King without delay to convoke the States General of the kingdom, who alone poſſeſſed ſufficient influence and authority to apply thoſe remedies which the political diſorders of the ſtate rendered indiſpenſably neceſſary. This had in fact been for ſeveral years paſt the grand object of the hopes and wiſhes of the people. And the inflexible reſolution of the Parliament of Paris not to enregiſter the edicts of the crown was apparently and almoſt avowedly directed to the accompliſhment of this purpoſe.

The monarch, ſeeing himſelf without reſources, alarmed at the critical and dangerous ſituation to which he was imperceptibly reduced, and deſirous to regain the affections of the people, at length declared his reſolution to convene the States General, which had not met ſince the

year 1614. This reſolution was chiefly aſcribed to the influence of M. Neckar; who, in December 1788, made a Report to the King in Council, relative to the principal points neceſſary to be aſcertained previous to the actual convocation of that aſſembly. According to ancient form, the States of the Kingdom conſiſted of three diſtinct orders—the nobility, the clergy, and the *Tiers Etat*, or commons, who ſat in ſeparate houſes; and the queſtions which came under their diſcuſſion were determined by a plurality of orders. Alſo the different bailliages or diſtricts into which the kingdom was divided, notwithſtanding their extreme diſparity with reſpect to extent, riches, and population, were empowered to elect the ſame number of deputies; and when actually elected, the votes of each houſe or chamber were collected not individually but by bailliages; and the number of deputies of each order was nearly or preciſely the ſame. It is evident, therefore, that the conſtitution of this aſſembly was radically defective, and that the ſhare of influence and authority poſſeſſed by the commons, or people, for whoſe benefit alone the powers of government ought to be exerciſed, was extremely circumſcribed; and by a combination of the two higher orders they might be rendered wholly inſignificant and uſeleſs. And as the majority of the nobility and clergy

clergy would naturally be devoted to the intereſts of the crown, which would alſo poſſeſs great influence in the election of the deputies of the ſmaller bailliages, it is no leſs evident that the whole aſſembly would be ſo much under the control of the ſovereign, ſupported by the power of the ariſtocracy, that no hope could be entertained of any effectual reformation of the political evils and oppreſſions by which the kingdom was reduced to a ſtate the moſt deplorable, and to which it had ſo long indignantly ſubmitted. As the firſt and moſt indiſpenſable requiſite, therefore, to elevate the commons to that aſcendency in the ſcale of power which they were entitled to poſſeſs, the people were ſecretly incited by thoſe whoſe profound ſagacity at this period modelled and guided the opinions of the public, to preſent petitions to the throne from every part of the kingdom, that the number of deputies of the third eſtate might be equal to that of the other two orders united. This was a requeſt in itſelf not very acceptable to the monarch or the miniſters of the crown. But as it was now the policy of the court to conciliate the affections of the people, it was determined to gratify them in this particular. "For," as M. Neckar obſerves in his Memorial, "the three orders being authorized, by the ancient and eſtabliſhed conſtitution of the States, to deliberate, and to vote ſepa-

ſeparately, the number of deputies of which each order may be compoſed, does not ſeem a queſtion of ſufficient importance to excite that degree of vehemence with which it has been agitated." And the King paſſed an ordonnance in Council, that the number of deputies of the *Tiers Etat* ſhould be limited to ſix hundred, and that of the higher orders to three hundred each. Thus was a queſtion decided in favor of the people of far greater importance than the monarch and his confidential adviſers had the moſt diſtant ſuſpicion of.

On the 5th May, 1789, the King of France opened the States General in regular form, by a gracious ſpeech from the throne. It was univerſally underſtood that the crown was prepared to make very conſiderable conceſſions in favor of the people, in return for the pecuniary aids which the urgent neceſſities of the ſtate conſtrained the ſovereign to ſolicit, in order to avert the ruin which ſeemed impending over the kingdom. The royal writ for the Convocation of the States, after a frank confeſſion of the embarraſſed ſtate of the national finances, and ſome injunctions relative to the mode of electing the deputies, expreſsly recommends, "that the ſaid deputies ſhall be furniſhed with inſtructions and general powers to propoſe, remonſtrate, adviſe, and conſent to every thing which may concern the wants

wants of the ſtate, the reform of abuſes, the eſtabliſhment of a fixed and durable order in all the departments of the adminiſtration, the general proſperity of the kingdom, and the welfare of all and every one of our ſubjects; promiſing them to aſk, and with a favorable ear to liſten to the advice of the ſaid States, upon every thing that can intereſt the welfare of our people; and to make ſuch proviſions in regard to the grievances and propoſitions which may be preſented to us, that our kingdom, and all our ſubjects in particular, may experience for ever the ſalutary effects which they have a right to promiſe themſelves from ſuch and ſo able an aſſembly."

The expectations of intelligent perſons were now raiſed to the higheſt pitch of elevation; whether they contemplated the ſtate of imbecillity and dependency into which the crown had actually fallen, or that illuſtrious combination of talents and virtues which the Aſſembly of the States exhibited to their view, or the ſpirit and temper of the times, and thoſe great attainments in every branch of ſpeculative knowledge, which had prepared the minds of men for the moſt daring political innovations, if conducive to real and practical improvements.

Before the States could enter into the buſineſs of the kingdom, it was neceſſary that each deputy ſhould *verify his title*, as it was termed, or authen-

thenticate his deputation. And here the ſpirit by which the deputies of the commons, or the *Tiers Etat* was actuated, became at once fully apparent. They firmly inſiſted that this verification ſhould be made in one common aſſembly of the three orders united; and that all queſtions which might ariſe ſhould be decided by a majority not of orders or of bailliages, but of votes collected individually. This was a claim which totally and radically ſubverted the ancient conſtitution: and it was reſiſted by the whole weight of regal influence, as well as by the peremptory declarations of the nobility and clergy in vindication of their rights and privileges, and reprobating, in the ſtrongeſt terms, theſe alarming and dangerous innovations. In this critical ſituation matters continued for ſome weeks; during which interval the King propoſed a plan of conciliation, agreeably to which ſome queſtions were to be debated by all the different orders in conjunction, and others in their ſeparate aſſemblies. This was reſpectfully declined by the commons, and haughtily rejected by the nobility. The *Tiers Etat*, however, gradually gained ground, particularly amongſt the clergy; who were probably ſenſible that the conteſt muſt finally terminate in their favor. And being ſtrongly ſupported by the general voice of the people, and actually joined by about fifty of the nobility,

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with the Duke of Orleans at their head, and nearly one-half of the clerical order, they ventured, on the 17th June, to declare themſelves the NATIONAL ASSEMBLY.

The King, highly offended at their raſhneſs and preſumption, immediately ſignified his pleaſure to hold a Royal Seſſion, in which he declared that the diſtinction of the three orders is eſſential to the ancient conſtitution of the kingdom; and that the deputies from them ſitting in three chambers, but uniting occaſionally with the approbation of the King, are the only legal repreſentatives of the nation; that he annuls, as anti-conſtitutional, the reſolutions paſſed in the Aſſembly of the *Tiers Etat* on the 17th; and concludes, "I order you to meet to-morrow, each order in its ſeparate chamber, and reſume your ſeſſions." When the King retired, followed by the major part of the nobles and clergy, the commons ſtill remained; on which the Marquis de Brezé, Maſter of the Ceremonies, reminding them of his Majeſty's *orders*, the Preſident, M. Baillie, replied, "the nation aſſembled has no *orders* to receive." On the morrow the aſſembly continued to exerciſe its functions, and even received an addition to its numbers. And on the 27th the King found himſelf under a neceſſity of writing to the higher orders to join the *Tiers Etat* in one common aſſembly, that the buſineſs

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of the nation might no longer be impeded. This was a great, but reluctant and precarious conceſſion, extorted by fear, and eaſily revocable at the pleaſure of the monarch, who now began to liſten to counſels which juſtly excited univerſal conſternation. Neckar and Montmorin, the popular miniſters, were diſmiſſed. Troops were collecting from all quarters, and encampments forming in the environs of Paris and Verſailles. This occaſioned a moſt ſpirited and energetic remonſtrance from the aſſembly to the King, in which they complained, in language new to Kings of France, that the freedom of their deliberations was alarmingly and unconſtitutionally interrupted. And they deſired, or rather inſiſted, that the troops, which were compoſed of foreign as well as national regiments, might be remanded to their ſtations, and that a guard might be raiſed in Paris and Verſailles.

In conſequence of this intimation, the city of Paris immediately embodied a numerous corps, under the appellation of the National Guard; and the example of the metropolis was rapidly followed by every conſiderable town throughout the kingdom. The King's anſwer to the remonſtrance was evaſive and unſatisfactory; and the paſſions of the people being violently inflamed, a moſt extraordinary and memorable inſurrection took place in the city of Paris on the 14th July,

when the fortreſs of the Baſtile was ſtormed and captured by the citizens; the King's troops refuſing obedience to the commands of their officers, and ſome even joining the inſurgents. The Count D'Artois, and the other leaders of the ariſtocratic party, ſought for ſafety in flight; and the King was compelled to throw himſelf upon the protection of the National Aſſembly. Neckar and Montmorin were reinſtated in their offices, and a new adminiſtration formed. In conſequence of this revolution in affairs, great exceſſes were committed by the populace in all parts of the kingdom upon the perſons and properties of thoſe who were ſuppoſed attached to the ariſtocratic party; and, in numerous inſtances, outrages ſhocking to humanity perpetrated. The National Aſſembly, and the miniſters of the crown, endeavoured in vain to reſtrain the fury of theſe lawleſs plunderers and aſſaſſins, who ſeemed rather to aim at the ſubverſion of all government than the mere reformation of abuſes. At length, however, the popular rage being apparently exhauſted by the violence of its own efforts, the courſe of things ſeemed gradually tending to a regular and ſettled ſtate. By the end of September the Aſſembly had agreed upon the primary and eſſential articles of the new conſtitution, which were preſented to the King; who did not, indeed, refuſe the

the royal ſanction, though dangerouſly accompanied with a *ſalvo* for "the ancient, eſſential, and conſtitutional prerogatives of the crown."

When we conſider the nature of theſe articles, we cannot wonder at the reluctance diſcovered by the monarch to ratify them. They imported in ſubſtance, that the King is himſelf ſubject to the laws; that the legiſlative power is veſted in the aſſembly of the repreſentatives of the nation; that the executive power alone reſides in the perſon of the King, and that juſtice ſhall be adminiſtered in his name, but by tribunals not ſubject to his control, according to the principles of the conſtitution, and the forms determined by the law. The reſerve of the monarch was juſtly conſidered as a deciſive proof of the ſecret predominance of ariſtocratic counſels. And the Queen was univerſally charged with exerting all that influence which ſhe was known to poſſeſs over the mind of the King to perſuade him to refuſe or qualify his aſſent to the eſtabliſhment of a free conſtitution. Preparations were diſcovered to be in train in order to facilitate the retreat of the King to Metz, where the royal ſtandard was to be raiſed as the ſignal for involving the nation in all the horrors of a civil war: and the baniſhed *ariſtocrats* were deeply engaged in various machinations for the advancement of this nefarious project. More than ever inflamed and enraged by

by this intelligence, another popular inſurrection of a nature ſtill more aſtoniſhing and unparalleled than the former took place, October 6, in which the palace of Verſailles was actually beſieged; the King and Queen were made captives and conducted in triumph to Paris: and the palace of the Tuilleries was aſſigned as the place of their future reſidence, where the monarch is ſtill guarded with jealous and unremitted vigilance. The effect of this violence on the perſon of the ſovereign was an immediate, explicit, and unconditional acceptance, on his part, of the articles of the conſtitution, formerly preſented. And the National Aſſembly have ever ſince proceeded in an undiſturbed and uninterrupted progreſſion, to carry into effect the grand and noble plan which they had concerted for the renovation of the French monarchy, and the eſtabliſhment of a free and permanent conſtitution.

It is well known that the monarchy of France is compoſed of various rich and extenſive provinces; which being formerly ſubject to the dominion of different ſovereigns, were united to the crown of France at different periods, and under different limitations and conditions. Theſe provinces, in conſequence, claimed divers local and immemorial exemptions and privileges, little beneficial indeed to themſelves, but highly detrimental to the community at large, as they formed

an effectual bar to the complete coalescence and consolidation of the component parts of this great monarchy into one regular and well compacted whole. It was one of the first and greatest objects therefore of the National Assembly to abolish for ever these pernicious exemptions, privileges, and feudal rights, the remains of a barbarous and Gothic policy, and to establish a system of perfect equalization and uniformity; a system whose energy should pervade alike all the classes of the community, and all the dependencies of the empire. For this purpose the whole kingdom was divided into nine regions, comprizing eighty-three departments, subdivided into districts and cantons, somewhat analogous to circuits, counties, hundreds, and tythings, in England. The resident inhabitants of each canton, not paying less than the value of three days labour to the state in a direct tax, are empowered to meet once in two years to chuse electors, in the proportion of one elector to every hundred voters. These electors are authorized to chuse deputies to the great National Assembly; and also members to compose the inferior assemblies of department and district, to whom is committed the superintendency of the internal police of the kingdom. These assemblies are permanent bodies, not dependent upon the will of the monarch for the continuance of their existence; a periodical time

time being fixed, viz. every two years, for the re-election of members; and the old assembly is not dissolved till the new election is completed. There is, however, this difference in the manner of renewing the members in the National and in the Subordinate Assemblies.—In the National Assembly the period of delegation is restricted to two years: whereas in the assemblies of department and district, one half only of the members are renewed in the biennial elections; so that each member, except in the first assemblies, will continue four years in office. With regard to the number of deputies in these assemblies, as well as in the National Assembly, it is regulated by a *ternary ratio*—that is to say, the number of deputies to the National Assembly is as the number of departments multiplied by nine, amounting to seven hundred and forty-seven deputies. Each assembly of department is to consist of thirty-six members, the assemblies of district of twelve each. These numbers are adopted for the purpose of making the representation of the kingdom correspond as nearly as possible to the threefold relation of extent of territory, population, and riches. Municipalities also, in all the different towns and cities throughout the kingdom, were established upon the same principles of representation, in lieu of the ancient corporate bodies, founded in the ages of ignorance, and possessing powers and

privileges incompatible with the general welfare.

The Aſſembly having decreed, as a primary article of the new conſtitution, that the judicial power ſhould be for ever ſeparated from the legiſlative and executive powers of the ſtate, proceeded to determine, that juries ſhould be inſtituted in criminal cauſes; that juſtice ſhould be gratuitouſly adminiſtered to the people; and that the office of judge in any court ſhould be no longer purchaſeable or hereditary. Theſe meaſures having been received with a warmth of approbation which reflected the higheſt honor upon the nation at large, the Aſſembly were emboldened to advance with vigorous ſteps towards the completion of the grand work of national reformation. The riches of the Gallican church were immenſe, and formed a moſt ſtriking contraſt to the diſtreſſed and impoveriſhed condition of the ſtate. The pomp and luxury which were almoſt univerſally prevalent amongſt the higher ranks of the clergy, the corruption and abuſes of various kinds which pervaded every part of the eccleſiaſtical ſyſtem, had arrived to ſuch an height, that it ſeemed to be ſcarcely recollected that the clergy were merely a claſs of citizens paid by the public, and appointed by the authority of the ſtate to perform certain duties; that the ſtate therefore poſſeſſed an inherent right, in caſe of negligence,

negligence, inability, or miſconduct, to decree a general reſumption of that branch of the public revenue which was deſtined for their ſupport and maintenance. This power the National Aſſembly now thought it fit and expedient to exerciſe; and by a decree of that body, the entire property of the church was reſumed by the ſtate, in order to be appropriated to the public exigencies. A decent proviſion, however, was made for the parochial clergy; and to the biſhops were allotted ſtipends not inadequate to their more elevated ſtations. But pluralities were totally aboliſhed. The reſidence both of biſhops and rectors was ſtrictly enjoined. The offices alſo were made elective, and veſted in the aſſemblies of departments and diſtrict. Applications to the ſee of Rome for bulls of confirmation and inveſtiture were declared illegal; a ſimple notification to the Roman Pontiff, as the firſt Chriſtian biſhop, being henceforth the only mark of diſtinction to be paid to the Papal ſee. Finally, all monaſtic inſtitutions were diſſolved, and the prelates of the church diveſted of all the civil and temporal juriſdiction and authority annexed to their reſpective ſees. No change, however, was made or even attempted in the doctrinal articles of the church. The abſurdities of the Roman Miſſal were ſtill retained; and the National Aſſembly has wiſely delayed to a ſeaſon of more leiſure

and ſecurity, a reformation of a nature perhaps more difficult and hazardous than any hitherto attempted.

This great eccleſiaſtical reform being thus happily accompliſhed, the National Aſſembly next proceeded to the adoption of a meaſure which excited the aſtoniſhment of all Europe. This was no leſs than the immediate and total ſuppreſſion of all titles of honor, armorial bearings, and hereditary diſtinctions of rank of every kind. It is remarkable that this celebrated decree was carried in the National Aſſembly by a prodigious majority of voices; that it was warmly ſupported by the Duc de Montmorenci, the head of the moſt illuſtrious family perhaps in France; and that it was received by the nation with unbounded demonſtrations of joy, as one of the nobleſt ſacrifices which had been yet made at the altar of liberty. At length the attention of the Aſſembly was directed to the ſtate of the public finances, the dreadful derangement of which was the immediate cauſe of its being convened; the annual *deficit* of the public revenue being, according to the report of M. Neckar, no leſs than fifty-ſix millions of livres. In this arduous buſineſs little progreſs appeared to have been made till the recent decree of the Aſſembly, which enacted that *aſſignats* to the amount of 1200 millions of *livres* ſhould be iſſued, in order to the liquidation of

of that proportion of the public debt, under the ſanction and authority of the National Aſſembly, which bearing no intereſt, ſhould be deemed a legal tender in all payments, and ſhould be received by government in lieu of ſpecie, for the lands, tythes, and other eccleſiaſtical property, to be diſpoſed of by commiſſioners appointed for that purpoſe, to the uſe and benefit of the community. In conſequence of which proviſion, it was ſuppoſed the far greater part of this enormous emiſſion of paper currency would ſpeedily revert to the National Exchequer; and as the *aſſignats* are from time to time paid into the treaſury, it is directed that they ſhall be publicly burnt. And from the report of M. de Rochefoucault, Chairman of the Committee of Finances, preſented to the Aſſembly in the month of December laſt (1790), the moſt pleaſing proſpects open of future and permanent proſperity.

Upon a candid and impartial review of the acts and proceedings of this Aſſembly, it muſt be acknowledged that ſo great, ſo extenſive, and ſo beneficial a reformation has never before been attempted by any nation: and that in the ſhort ſpace of time which has elapſed ſince it was convened, more has been accompliſhed for the glory and happineſs of the community, than could previouſly have been imagined poſſible for the higheſt efforts of wiſdom and perſeverance to effect. Yet

were there not wanting perſons even in France who eagerly embraced every opportunity to caſt obloquy and reproach upon the conduct of this illuſtrious aſſembly of legiſlators and patriots; who affected to deride them as mere political viſionaries and romantic ſpeculatiſts, who employed that time in idle debates and abſtract diſcuſſions which ought to have been wholly devoted to the ſettlement of the affairs of the nation, and the reſtoration of public order and tranquility. Though theſe malignant and ſeditious charges made little impreſſion upon the great maſs of the people, who placed the utmoſt confidence in the talents and virtues of thoſe enlightened and faithful citizens by whoſe counſels the Aſſembly was principally guided, yet that body thought it incumbent upon them to vindicate themſelves from theſe injurious imputations, by a very animated addreſs to the nation at large, in which they recapitulate the ſteps they have taken in order to accompliſh the purpoſes of their delegation; and with an openneſs, generoſity, and candor, worthy the repreſentatives of a great and free people, explain their ſentiments reſpecting the general ſituation of the kingdom, and the meaſures it will ſtill be neceſſary to adopt for its final and complete emancipation. "What," ſay they, "has been left uneſſayed by our enemies to miſlead you, and to ſhake your confidence in us?

us? What good, do they affect to aſk, has the aſſembly done? We anſwer, it has traced with a firm and ſteady hand, and in the midſt of dangers and tumults, the principles of the conſtitution which ſecures your liberty for ever. The rights of man have been for ages miſunderſtood by the people and inſulted by their rulers. They have been re-eſtabliſhed for all mankind in that declaration, which will remain as a perpetual bond of union for the people againſt their oppreſſors, and even as a rule for legiſlators themſelves. Numberleſs particular privileges, thoſe irreconcileable enemies of the public good, compoſed the whole of our national law. Theſe are deſtroyed: and, at the voice of your Aſſembly, thoſe provinces that were moſt tenacious of their own privileges have applauded their downfal, and have felt themſelves enriched by the loſs. An oppreſſive feudal ſyſtem, powerful even in its laſt remains, extended itſelf throughout France—It has diſappeared, never to return. You have long deſired that the venality of offices in the magiſtracy ſhould be aboliſhed: this has been decreed. You ſtood in fear of the power of miniſters: we have for your ſecurity impoſed on them the law of reſponſibility. In fine, the finances demanded immenſe reforms: ſeconded by the miniſter who has obtained your confidence,

we

we have made them our unremitted ſtudy, and you will ſoon reap the fruit of our labors.

"What an æra is this to which we are at length arrived! How honorable an inheritance have you to tranſmit to your poſterity! elevated to the rank of citizen, admiſſible to all employs, enlightened cenſors of public affairs when not actually engaged in the conduct of them; equals in the eye of the law; free to act, to ſpeak, to write, amenable to the public only; what condition can be conceived happier or more honorable than yours? Is there a ſingle citizen worthy of that name who can look back with regret on the paſt ſtate of things, or who would gather up the ruins with which we are ſurrounded in order to re-conſtruct the antient edifice? And yet, what has not been ſaid, what has not been done by our enemies to weaken in you the impreſſion which ſuch bleſſings ought naturally to excite? They accuſe us of having aſpired at a chimerical perfection. Under this diſguiſe, how eaſy to diſcover the ſecret wiſh for the perpetuity of abuſes. The National Aſſembly are vilified becauſe they had the ſenſe and courage to believe that all uſeful ideas and truths, moſt neceſſary to the happineſs of mankind, were not, excluſively, deſtined to adorn the pages of a book. It is impoſſible, ſay they, to regenerate an old and corrupted nation.

Why

Why ſhould we anſwer ſo wretched a reproach? Shall the National Aſſembly be reduced to excuſe itſelf for not having deſpaired of the people of France? Nothing has yet been done for the people—even this has been imprudently aſſerted. Nothing done for the people! Is it not the people's cauſe which triumphs in every change? Does not every abuſe which has been deſtroyed prepare the way for the eaſe and relief of the people? But their condition is now wretched. Say, rather, it is ſtill wretched. But it ſhall not be ſo long—WE SWEAR IT SHALL NOT. We have, it is ſaid, deſtroyed the executive power. On the contrary, the executive power is enlightened and ennobled by us. In oppoſition to the law and conſtitution, it is now, indeed, without force; but, when employed in their defence, more powerful than ever. The people are armed. Yes, for their defence. But popular exceſſes, tumults, and bloodſhed, have flowed from this ſource. Can theſe evils be imputed to your repreſentatives? Can the Aſſembly be juſtly reproached for diſaſters which it laments? which it uſed every means in its power to prevent, and which will ſoon ceaſe by the union of the two powers from henceforth indiſſoluble, and by the irreſiſtible action of the united ſtrength of the nation. We have exceeded our powers.—The anſwer is obvious and ſimple. We were incontеſtibly

conteſtibly delegated to make a conſtitution. This was the deſire, it was the want avowed and called for by all France. Was it poſſible to create this conſtitution without the plenitude of powers which we have exerciſed? The numerous addreſſes of adheſion preſented from all parts of the kingdom, the avowals of homage, the oaths of the citizens—what a confirmation are they of the powers which our enemies would conteſt with us! The clergy, citizens alſo equally diſtant from the extremes of poverty and riches, will, under the new conſtitution, cauſe religion to be cheriſhed; they will increaſe its influence by cultivating a cloſer and more affectionate connection between the people and their paſtors. This ſacred body will no longer exhibit the ſpectacle which the patriotiſm of ſome of its own members has lamented in this aſſembly of opulent idleneſs, and unrecompenſed activity. Behold! O people of France, the proſpect of happineſs that lies before you! ſome few ſteps more remain to be trodden in this career of labours. Guard, during this interval, againſt the impulſe of your natural impetuoſity. Dread above all things the commiſſion of violence, than which, nothing can be imagined ſo fatal to liberty. Bear in your minds the three ſacred words, the Nation, the Law, and the King. The Nation, that is yourſelves; the Law, which is the voice

of

of the Nation; and the King, who is the guardian of the Law. Hearken not to thoſe who ſpeak of two parties; there is but one. We have all ſworn it; and it is that of liberty. As long as her victory is ſecure, atteſted by new conqueſts every day, let theſe vile detractors pour out their injurious calumnies againſt us. Reflect only that if they praiſed us France would be undone."

It is painful to acknowledge that this Revolution, ſo favorable to the intereſts of liberty and the natural rights of humanity, has, in a country profeſſing the moſt ardent and zealous attachment to liberty, been by very many perſons viewed not merely with eyes of jealouſy, but averſion; and, at leaſt in the more courtly and faſhionable circles, rarely mentioned but in terms of affected ſcorn and contempt, ſo that a very general apprehenſion pervaded the minds of the people of France that England was diſpoſed to convert to her own advantage, and to the purpoſes of her own ambition, the temporary anarchy in which they were involved. This, however, obtained a reluctant credit with the higher and more enlightened ranks of the community. "Who will interpoſe," exclaimed a member of the National Aſſembly "to prevent the eſtabliſhment of a free conſtitution in France? Not you, O brave and gallant nation, who have

ſhed

ſhed ſeas of blood in defence of your own liberty!" And it muſt be acknowledged that not even the court, and much leſs the Parliament or the people, were inclined to adopt ſo barbarous and deteſtable a policy *. Still it was obſervable that a long and ſullen ſilence prevailed in the Engliſh Parliament on this ſubject; that it was ſtudiouſly ſhunned, and deprecated in the language of myſtery as a topic which could not be made the theme of public diſcuſſion without extreme raſhneſs and danger. At length the period arrived when this pretended danger ceaſed to excite alarm even in the breaſt of a courtier.

On the firſt day of the ſeſſion, January 1790, Lord Valletort, who moved the addreſs in the Houſe of Commons in anſwer to the ſpeech from the throne, took occaſion to contraſt the tranquil and proſperous ſituation of England with the anarchy and licentiouſneſs of France, and to ſtigmatize the Revolution in that kingdom as an event the moſt diſaſtrous, and productive of conſequences the moſt fatal which had ever taken place ſince the foundation of that monarchy. "Milord Valletort," ſays a ſpirited French

* This tract was written in the ſpring of the year 1791. Before the cloſe of the ſucceeding year the author was reluctantly compelled to retract the too favorable opinion he had entertained, againſt all analogy and experience, indeed, of the principles and policy of the court.

writer,

writer, in alluſion to this unprovoked attack, " ne riſqueroit cependant rien en venant en France, que la mortification de voir par lui-même la fauſſeté de ſon tableau, celle d'être accueille par ceux qu'il a ſi indignement calomnié, celle enfin de ſentir la diſtance immenſe qu'il y a entre la généroſité & l'injuſtice."

The ſentiments of his Lordſhip, however, were highly applauded by the miniſter, *and the King's friends*; and ſeemed, indeed, not unacceptable to the majority of the members of the Houſe. In the ſpace of a few weeks the ſubject was again revived, and in a mode which excited much more of the public attention. Upon the debate which took place relative to the Army Eſtimates, Mr. Burke arreſted the admiration of his hearers by a moſt eloquent, though wild and extravagant declamation againſt the Revolution in France. It is plain that the imagination of the ſpeaker was violently inflamed by the recent accounts of the popular outrages and exceſſes in France; which, for a time, were indeed dreadful.—" Effects unhappy from a noble cauſe." We hear of ten thouſand lives loſt in a battle, the wretched victims of imperial pride and ambition, almoſt without emotion; whilſt the barbarous execution of a comparatively inconſiderable number of perſons ſacrificed to the ſuſpicion or vengeance of the people, related with all the

the concomitant circumſtances of diſtreſs, ſtrikes us with horror. But if we are deſtitute of that firmneſs and energy of mind which are neceſſary to the ſucceſs of any grand or elevated undertaking; if our feelings for the ſufferings of individuals are ſo exquiſite as to abſorb and extinguiſh our feelings for the ſufferings of our country, let us reſign ourſelves tamely to our fate. Content with ſecretly ſighing for the bleſſings of freedom, let us bow down at the altar of deſpotiſm, and proſtrate ourſelves at the feet of our oppreſſors: for reſiſtance will certainly be productive of diſcord, of confuſion, and bloodſhed. But is it thus that Liberty has been worſhipped in this country? Liberty! the Mountain Goddeſs, who ſcorns the velvet ſtep of ſmooth ſavannahs, who wields a gory anlace, and waves a crimſon banner, aſſuredly requires from her votaries a more ardent and enthuſiaſtic devotion.

> Thee, Goddess, thee! Britannia's Iſle adores!
> How oft has ſhe exhauſted all her ſtores?
> How oft in fields of death thy preſence ſought?
> Nor thinks the mighty prize too dearly bought.

It is remarkable that at the very time Mr. Burke was aiming his impotent, though envenomed ſhafts againſt the meaſures of the National Aſſembly, the King of France repaired publicly,

and voluntarily, to the Aſſembly in perſon, in order to declare, in the moſt ſolemn manner, his perfect approbation of their proceedings, and to give the world a convincing proof of the cordiality with which he concurred with them in the arduous taſk of forming a conſtitution upon the moſt ſolid and extenſive baſis of freedom.—"Livrons nous," ſaid this mild and beneficent monarch, "*de bonne foi* aux eſperances, que nous devons concevoir. Continuez vos travaux.—Qu'on ſache que le Monarque y applaudit.—J'aurai bien des pertes a compter; mais je trouverai mon bonheur dans celui de la nation. C'eſt *du fond de mon cœur* que j'exprime ce ſentiment. Je maintiendrai la conſtitution de tout mon pouvoir. Puiſſe cette journée où votre Monarque vient ſe réunir à vous, réunir encore tous les eſprits. Je les dédommagerai par mes bontés*."

Though the extreme virulence and malignity

* Certainly, at the period this Tract was written it would have been "vicious to have miſtruſted" the ſincerity of this Monarch's declarations. His ſubſequent flight from the capital, at no diſtant interval, and the formal diſavowal of his reiterated oaths and profeſſions of attachment to the Conſtitution, are, nevertheleſs, demonſtrations of his actual treachery; and render pardonable the ſtrong expreſſion uſed upon the occaſion by a Member of the Aſſembly, Le Compte de Chaſtellane, "that the mouths of Kings are the caves of falſehood."

manifeſted by the calumniators of the Revolution in France cannot but excite indignation, it will not be thought to derogate from its merits, calmly and diſpaſſionately to inveſtigate this grand and beautiful model of government, in order to mark with candor and impartiality thoſe inconveniences and defects from which no work of man can reaſonably be ſuppoſed entirely exempted. The diviſion of the kingdom into departments and diſtricts, and the eſtabliſhment of popular aſſemblies in each, appears happily calculated to infuſe animation and energy into every part of the political ſyſtem. And that regulation is particularly to be admired, by which the citizens at large are to exerciſe the right of repreſentation, through the medium of a previous delegation of electors: by which means the tumults and popular exceſſes attending the generality of elections in England will be effectually precluded. But the wiſdom or propriety of the article which enacts that no deputy ſhall be elegible in two ſucceſſive legiſlatures, is not eaſily diſcernible. It ſeems an oppreſſive reſtraint on the freedom of choice on the part of the people, and it may alſo deprive the ſtate of the ſervices of her ableſt and moſt intelligent members, perhaps, at the very period when they might be productive of the greateſt utility. The union of orders in the National Aſſembly muſt be acknowledged

ledged a meaſure of indiſpenſable neceſſity when the object in view was to form a conſtitution; becauſe the oppoſition which the commons, or *Tiers Etat*, would certainly have encountered from the ſuperior orders in accompliſhing that great work, muſt doubtleſs have rendered all their attempts abortive. When the conſtitution, however, was actually formed, the re-eſtabliſhment of the order of nobles might have anſwered the ſame beneficial purpoſes in France, as we find by experience to reſult from the intervention of an Houſe of Peers in England; who, without poſſeſſing a degree of power very formidable in itſelf, are able to hold the balance between the other branches of the legiſlature, and to oppoſe a firm and permanent barrier to the attacks of regal power; or, which is indeed their more immediate and conſtitutional province, to the encroachments of democratic ambition. In order, however, to preclude even the poſſibility of the re-eſtabliſhment of this obnoxious, but uſeful and ſalutary check, the National Aſſembly have, by a bold and deciſive meaſure, annihilated all hereditary titles of honor and diſtinctions of rank throughout the kingdom; thus, to adopt the alluſion of a celebrated writer, deſtroying the ſymmetry of that beautiful pyramid, of which, in a well ordered ſtate, the people may be conſidered as the baſe, and which gradually riſes through

the more elevated ranks and orders of the community, till it arrives at its proper termination in the perſon of the ſovereign.

Another defect in the new conſtitution of France appears to be the abſolute excluſion of the miniſters of the crown from any place in the National Aſſembly. In England, the monarch is not only enjoined by the principles of the conſtitution to carry into execution the meaſures determined upon by the repreſentatives of the community, but he is allowed and even expected, through the medium of the great officers of ſtate ſitting in Parliament, to propoſe ſuch public meaſures as it may be proper for the legiſlature to adopt. This completes the harmony and conſolidates the union of the different powers of government. And if the Parliament were indeed a real, adequate, and impartial repreſentative of the nation, and under no corrupt or ſecret influence of the crown, this appears incomparably the moſt eaſy, eligible, and efficacious mode of conducting public buſineſs. For who ſo well qualified to propoſe public meaſures as thoſe who occupy the higheſt departments of the ſtate? who, under a well conſtituted government, muſt be ſuppoſed poſſeſſed of talents and virtues equal to their ſtations—who muſt in fact be entruſted with the execution of thoſe meaſures, and who are conſidered as finally reſponſible for the effects of them.

them. The National Aſſembly of France have, I think, unhappily adopted a policy founded on different principles. Deliberation is, as they conceive, the ſole province of the legiſlative power, and action that of the executive. And the intervention or influence of the ſovereign relative to the deciſions of the legiſlature, is guarded againſt by every precaution that the moſt anxious policy can ſuggeſt. The inevitable reſult of this conſtitution muſt be the final and total diſunion of the different powers of government. There is no viſible bond of connection. The miniſters of the crown, I might ſay the crown itſelf, muſt ſink into a ſtate of imbecility and contempt. Committees will be inſtituted by the Aſſembly, to whom the entire functions of the executive power will be gradually transferred. For will the paſſions of men, and the ſecret ſuggeſtions of pride and ambition, in circumſtances ſo favorable to their gratification, ever ceaſe to operate? The orders of the ſovereign will become a mere matter of form, and will only be iſſued in compliance with the addreſſes of the Aſſembly. The monarch will be regarded as a mere pageant of ſtate. An irreſiſtible tendency to republicaniſm will ſoon become apparent. Monarchy will be at firſt virtually, and at length, perhaps, openly and avowedly annihilated.

But here a queſtion of the utmoſt moment

ariſes: To whom will the command of the army be entruſted by the new conſtitution of France. To whom can it be entruſted, but to the King, as ſupreme executive magiſtrate? But will the King patiently ſubmit to be diveſted of his civil authority and to be reduced to a mere cypher in the ſtate, ſo long as his military authority remains unimpaired? Are not the ſeeds of future diviſion and diſcord implanted in this ſyſtem? And when diviſion and diſcord ariſe to a certain height of animoſity, with how much facility a ſudden and total change of government may be effected by the aid of the military, the Swediſh revolution affords a recent and memorable inſtance. And this beautiful and lofty fabric reared as it were by enchantment, the brilliant illuſion of a day, is deſtined perhaps to diſſolve into air, when touched by the ſpear of ſome political Ithuriel. Abſolute unqualified diſtruſt of the monarch is the characteriſtic of the new conſtitution of France. A guarded confidence in the monarch is the characteriſtic of the conſtitution of England, which preſumes that the King, who can act only by the intervention of miniſters, approved by the repreſentatives of the people, and under the control of the people, and reſponſible to the people, can harbour no deſigns inimical to the ſtate. This, as a theoretical principle, appears wiſe and juſt; and if the repreſentation of the people were in reality

reality what it is in name, it would be equally ſafe and beneficial as a practical one. In England, the King is inceſſantly and actively employed in directing the evolutions of the ſtate. In France, he ſeems a kind of remora, which continually counter-acts its movements and impedes its courſe. Agreeably to the former theory, the crown of France ought to have been inveſted with an abſolute negative upon the acts of the Aſſembly, inſtead of the ſuſpenſive *veto* allotted to it by the preſent conſtitution. For it is not to be imagined that, under ſuch a conſtitution, the ſovereign would ever be diſpoſed to exert his negative, but in caſes of a direct attack upon the eſſential prerogatives of his crown. I ſhould be extremely happy to find myſelf eventually miſtaken in theſe apprehenſions. But admitting the ſuperiority of the new conſtitution of France to that of England, in many ſtriking points, yet in this *moſt* important reſpect, the latter has manifeſtly the advantage; that in her general plan of government, England adapts her political proviſions to the nature and paſſions of men, as they actually are, while France appears to conſider them only or chiefly as they ought to be. If the National Aſſembly of France was compoſed of men not ſubject to human frailty, no attempts would ever be made to encroach on the province of the executive power. If the Kings of France

were always generous and disinterested patriots, they would not wish to direct or influence the conduct of the legislative body, but would be satisfied with the glory of executing their decrees. As neither of these suppositions however is very probable, that form of government must be deemed more eligible which has opposed insuperable barriers to any encroachments of the legislative upon the executive power; and which, admitting and even authorizing the executive power to exert an high degree of influence over the determinations of the legislative body, is solicitous only to prevent that influence from being perverted to pernicious and unconstitutional purposes.

Since these remarks were written, the public curiosity has been gratified by the appearance of the celebrated and long expected Reflections of Mr. Burke on the late Revolution in France, which, notwithstanding the lapse of time, exhibit, in colors more glowing than even his famous parliamentary invective, the feature scarcely shaded, of inveterate prejudice and ungoverned passion. The radical positions of Mr. Burke are these—That the political constitution of France was, previous to the revolution, a good one; *very nearly as good as could be wished*; that this good

good conſtitution might have been farther meliorated and reformed, and even new modelled agreeably to the principles of the Engliſh conſtitution without danger or difficulty—That the new conſtitution of France is deſtructive of the public order, and incompatible with the public happineſs. He advances, indeed, neither facts nor arguments in ſupport of his aſſertions, but in their ſtead aſſumes, and, to do him juſtice, admirably maintains that lofty and imperious tone of declamation, which, with the majority of readers, at leaſt for the moment, anſwers the purpoſe of ſuch a writer much better.

"The King," he tells us, "from the beginning ſurrendered all pretence to the right of taxation." How noble and generous to ſurrender what he had in vain uſed every means in his power to enforce, and what all France knew it was no longer poſſible for him to retain. When this claim was ſurrendered, however, the abſolute monarchy was, in Mr. Burke's opinion, at an end. Still the legiſlative, the judicial, the executive powers were united in the perſon of the monarch: and a conſtitution, in which the monarch poſſeſſes all the powers of government, the power of taxation excepted, is, in fact, the very worſt ſpecies of deſpotiſm. And this, as Mr. Hume has juſtly obſerved, is the actual ſituation of the government of Turkey, where it is cuſ-

tomary, and in ſome ſenſe neceſſary, to repleniſh the treaſures of the ſtate by acts of the moſt dreadful individual oppreſſion. The right of taxation, when exerciſed by the repreſentatives of any nation, may, indeed, and probably will be made the inſtrument of eſtabliſhing a free conſtitution; and to the accompliſhment of this greateſt and moſt laudable of all purpoſes, the National Aſſembly of France invariably endeavored to employ this new acquiſition of authority. In the ſpace of a few months they had formed the general plan of a conſtitution, in which the executive, legiſlative, and judicial powers were ſeparated from each other by permanent and irrevocable limits. And it is notorious that it was the King's refuſal to ratify thoſe fundamental principles of all juſt government, and the well founded belief of a determination in the court to reſiſt, by force of arms, theſe formidable attacks upon the prerogative, which gave riſe to the ever memorable inſurrection of October 6th, which, dreadful and ſanguinary as were many of the circumſtances attending it, and which Mr. Burke has painted with the dark and ſavage pencil of a Spagnolet, doubtleſs averted from the nation the calamities of a civil war in which it was manifeſtly on the eve of being plunged. And a ſpectacle was preſented to the world in which, though pity claimed a mingled part, there was certainly ample

ample ſcope for exultation and triumph. From that day the oppoſition of the monarch to the will of the nation ceaſed. The victory of liberty was ſecured; and the fabric of a new and glorious conſtitution was cemented in the blood of its enemies. Who, that poſſeſſed an heart which vibrated in uniſon with the nobleſt feelings of our nature, and who was capable of extending his views beyond the limits of a day, could heſitate to rejoice, even amidſt ſcenes the moſt diſaſtrous and afflictive to humanity, to ſee "a great and mighty people, indignant and reſolute, ſpurning at ſlavery and demanding liberty with an irreſiſtible voice; their king led in triumph, and an arbitrary monarch ſurrendering himſelf to his ſubjects?" Theſe are the emphatic expreſſions of Dr. Price in his celebrated revolutionary ſermon; and for this animated and generous effuſion of patriotic fervor this illuſtrious philanthropiſt is vilified and ſcurrilouſly abuſed by Mr. Burke as a ſecond Hugh Peters; or, to collect a few of Mr. Burke's ſcattered flowers of eloquence as a "fanatical," "ſacrilegious," "inhuman," "unprincipled," "remorſeleſs regicide."

But Mr. Burke aſſures us that "reſiſtance was made to conceſſion; their revolt was from protection; their blow was aimed at a hand holding out graces, favors, and immunities." All this is highly

highly extravagant; the convocation of the ſtates was a meaſure not of choice but of dire and urgent neceſſity*. And though, with reſpect to general rectitude of diſpoſition, it would be injuſtice to affirm that Louis XVI. falls below the level of the kings, his predeceſſors or contemporaries, yet it is a melancholy truth that the people may ſuffer as much under the government of a weak as of a wicked prince. And the political conceſſions, which he was prepared to make in return for the pecuniary aids which he ſolicited, fell prodigiouſly ſhort of that radical and permanent reform which the people had a right to demand, and which they alſo happily poſſeſſed the power to enforce.

In conſequence of the heroic exertions which the ſpirit of liberty only could inſpire, abſolute monarchy has, indeed, to adopt the words of Mr. Burke, "breathed its laſt" in France; but not, as he aſſerts, without a groan. No; it expired in convulſions too dreadful to be laſting. Mr.

* "Becauſe," ſays M. Bertrand de Moleville, who agrees with Mr. Burke much better in point of opinions than of facts, "the States General produced the moſt execrable revolution that ever exiſted, is it Louis we ought to accuſe? No one is ignorant that it was not in his power to refuſe aſſembling the States General. He was FORCED to it, not only by the univerſal cry of the kingdom, but the deplorable imprudence of the Parliaments, in declaring that they did not repreſent the nation."

Burke

Burke affects to ſpeak with contempt of the "chill philoſophy of modern times." But what philoſophy ſo chill as that which refuſes to make any allowance for the temporary exceſſes of an oppreſſed and exaſperated people, in a moment of delirium, agitated at once by the frenzy of joy for the actual overthrow of deſpotiſm, and of terror at the apprehenſion of its re-eſtabliſhment! Who can wonder that in the tempeſt and whirlwind of paſſion little regard ſhould be paid to the ſober ſuggeſtions of "the pauſer reaſon?" The people of France, however, have ſhewn that they know how to diſtinguiſh between the man and the deſpot. And though it would be highly impolitic and dangerous to inveſt the King of France, in preſent circumſtances, with that ſhare of authority which is deſtined for him as ſupreme executive magiſtrate under the new conſtitution, yet the perſon of the King is, and has always been regarded as ſacred; he is treated with every external demonſtration of reſpect, but the ſword of the ſtate probably will not be again entruſted in his hands till there is reaſon to believe he has totally and for ever relinquiſhed his intention of plunging it into her vitals*.

* It was, however, moſt impoliticly and prematurely, again truſted in his hands, to the imminent danger of the ſtate, to his own ultimate ruin, and the conſequent ſubverſion of monarchy in France.

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The National Aſſembly have now nearly accompliſhed their original plan for what they juſtly ſtile the renovation of the monarchy. And Mr. Burke is abſurd enough to be not only extremely ſorry, but extremely angry that the French nation has not thought proper to adopt the Engliſh conſtitution as the model of their new form of government. It appears to me, I acknowledge, for the reaſons already ſtated, that the nation judged erroneouſly in deviating in ſome important points from the maxims of the Engliſh conſtitution. But it never entered into my imagination that it was reaſonable or decorous to inſult them for thus exerciſing their own diſcretion where their own intereſts only were concerned, by a declaration, penned certainly when the moon was in her altitudes, "That all the ſophiſters and conſtitution-mongers of France could not produce any thing better adapted to preſerve a rational and manly freedom, than the courſe we have purſued; that their extravagant and preſumptuous ſpeculations have reduced them to a ſtate truly deſpicable; that the petti-fogging attornies, obſcure curates, and country clowns, of whom the National Aſſembly is compoſed, has eſtabliſhed a litigious conſtitution in the hope of coming in for a ſhare of the ſpoils in a general ſcramble; that the union of orders in the Aſſembly completed that *momentum* of ignorance,

rance, raſhneſs, preſumption, and luſt of plunder which nothing has been able to reſiſt; that every landmark of the country was done away in favor of a geometrical and arithmetical conſtitution; that all orders, ranks, and diſtinctions were confounded, that a barbarous and ſenſeleſs government, a monſter of a conſtitution, might be formed out of univerſal anarchy joined to national bankruptcy; that the National Aſſembly is a profane burleſque and abominable perverſion of that ſacred inſtitute; that their power is, like that of the evil principle, only to ſubvert and deſtroy; that it has not even the aſpect and phyſiognomy of a grave legiſlative body; *nec color imperii nec frons erat ulla ſenatus*, that their liberty, in fine, is illiberal and vulgar; their ſcience preſumptuous ignorance; their humanity ſavage and brutal. We, however, as Mr. Burke affirms, have not loſt the generoſity and dignity of thinking of the fourteenth century. Helvetius has made no progreſs amongſt us. We have made no diſcoveries, and we think no diſcoveries are to be made either in morality or government. We are men of untaught feelings; and, inſtead of caſting away our old prejudices, we cheriſh them, and cheriſh them becauſe they are prejudices." And no wonder, for he tells us that "prejudice engages the mind in a ſteady courſe of wiſdom and virtue."

But, ſurely, if the French nation happen to entertain ſomewhat lower ideas of the value of old prejudices, and conſequently leſs predilection for them than Mr. Burke, and other admirers of the dignity of thinking of the fourteenth century, they have as juſt pretenſions to judge for themſelves in all the complex concerns of morality and government as the Engliſh. And it is difficult to conceive how a man, ſwelling with inflated notions of his own importance, can render himſelf more ridiculous than by arraigning, with a magiſterial air, and in paſſionate and abuſive language, the public tranſactions of a foreign country, with which he has no concern, and the government of which will be juſt as much influenced by his frantic ravings as the majeſtic orb of night, moving in cloudleſs ſplendor, by the envious howlings of the wolf, or the ominous hootings of the ſcreech owl.

To thoſe who are not acquainted with the peculiar caſt of Mr. Burke's political character and conduct, it muſt appear ſtrange, that in one of his parliamentary harangues, during the American war, he ſhould declare, "that he did not know the method of drawing up an indictment againſt the whole people—that he could not inſult and ridicule the feelings of millions of his fellow creatures—that he was not *ripe* to paſs ſentence on the graveſt public bodies, entruſted with magiſtracies,

tracies of great authority and dignity, and charged with the ſafety of their fellow citizens on the ſame title with himſelf; that he really thought, for a wiſe man this was not judicious; for a ſober man, not decent; for a mind tinctured with humanity, not mild or merciful." Theſe were the ſentiments of Mr. Burke in his unripe years, "when he was green in judgment," though it is manifeſt he is now ripe for paſſing ſentence on a whole nation without decency and without mercy.

With regard to the reſumption of the church lands, which is a very favorite theme of Mr. Burke's defamation, it cannot be pretended that the clergy in France, or in any other kingdom, hold their eccleſiaſtical preferments by the ſame tenure with their private eſtates and perſonal property. The clergy are a claſs of citizens, to whom is allotted, in common with other claſſes of men of other deſcriptions, a portion of the national revenue, as a compenſation for certain ſervices to be rendered to the ſtate or the community and certain duties to be performed.—"But," to tranſcribe the words of the preſent excellent Biſhop of London, in his primary charge to the clergy of his dioceſe, "if once we relinquiſh our proper ſtations and ruſh into the world; if we conſider our preferments merely as life eſtates, without any regard to the perſonal

ſervices and perſonal duties with which they are charged, we ſhall moſt aſſuredly forfeit the good opinion, and with this the ſupport of the ſtate. The firm ground we now ſtand upon will ſink from under our feet, and our properties and revenues will be ſwept away, like thoſe of our brethren in a neighbouring kingdom, whoſe deſpoliation is ſaid to have been no leſs owing to their non-reſidence, their love of pleaſure, their loſs of the public eſteem, than to the ſubverſion of their civil government." Will any one dare to affirm that, in caſes ſimilar to that which the venerable prelate here ſuppoſes, a reſumption of that part of the national revenue ſo uſeleſsly, or rather ſo miſchievouſly appropriated, would be no better than a public robbery? Nothing can be clearer than that the ſtate poſſeſſes the ſame inherent right to reduce or reſume the revenues of the clergy as the revenues of the army, or of the various claſſes of perſons employed in the civil departments of the ſtate. Who will diſpute the authority of the ſtate to reduce the public ſtipends of the bench of judges? Do the bench of biſhops hold their emoluments by a tenure more ſacred? The eccleſiaſtical eſtabliſhment itſelf exiſts but by the favor and permiſſion of the ſtate. And ſome, who rank high as Chriſtian philoſophers, have not heſitated to declare themſelves of opinion that the whole apparatus is as

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ſuperfluous as it is expenſive; and that Chriſtianity flouriſhed much more before it formed an alliance with the civil powers, than it has ever done ſince. And indeed if the French are, as Mr. Burke aſſerts, a nation of atheiſts, notwithſtanding the ineſtimable advantages reſulting from a religious eſtabliſhment, mere curioſity would lead us to enquire what they would have been if no ſuch eſtabliſhment had ever exiſted. The National Aſſembly have indeed blaſted the proſpects of ambition and avarice in the church, by a reduction and equalization of its enormous wealth. They have aboliſhed pluralities; they have enforced reſidence; they have extinguiſhed patronage. Theſe are the mighty evils they have done. And Mr. Burke, in his profound wiſdom, has taken upon him to pronounce, "that in conſequence of this arrangement, nothing of ſcience or of erudition can exiſt in the Gallican church; that all men of ſobriety will be driven from the clerical profeſſion, and that the Gallican clergy will be degraded into a ſet of licentious, bold, crafty, factious, flattering wretches.' And he adds, "that the preſent ruling powers have ſubſtituted, for that property of which they have robbed the church, a degrading penſionary eſtabliſhment, to which no man of liberal ideas or liberal condition will deſtine his children." But how do FACTS correſpond with theſe weak, raſh, and

dogmatical aſſertions? Do men of liberal ideas and liberal condition in this or any other country, Utopia excepted, really ſcruple to accept of civil employments for themſelves or their children, becauſe they are degraded by the penſionary eſtabliſhments or pecuniary appointments annexed to them? If not—How will the eccleſiaſtical dignity be degraded by them? Are not the clergy in Holland, and America, and Switzerland, ſupported in this manner? Then, why may not the French government adopt the ſame mode of ſupporting the French clergy, without being reviled for it by Mr. Burke? And though in the church of Scotland, as now in France, there are no middle claſſes of clergy, *who are left at their eaſe*, as Mr. Burke phraſes it, or in other words, who poſſeſs large revenues and perform no ſervices—"no lordly abbots, purple as their wines"—no downy doctors to ſlumber and fatten in the ſtalls of theology—yet it will not be ſaid that nothing of ſcience or erudition exiſts in the Scottiſh church, ſo long as a Robertſon, a Campbell, a Gerard, a Blair, and many other names which might be enumerated, continue to adorn and dignify her communion.

Mr. Burke, amongſt his other abſurdities, entertains the nonſenſical notion, that the kingdom of France is by the new government divided and ſubdivided *chequer-wiſe* into regular ſquares, and

ſquares

ſquares within ſquares; a reverie which affords him much ſcope for idle jeſts and unſeaſonable merriment. But his paſſion is too violent to ſuffer long reſtraint, riſing at times even into the vehemence and fury of Delphic inſpiration.

> —— Non vultus, non color unus,
> Non comptæ manſêre comæ, ſed pectus anhelum
> Et rabie fera corda tument.

But in the midſt of theſe eccentric flights, and whilſt he fancies that he is ſpeaking oracles, he is betrayed into the moſt egregious errors and inconſiſtencies. He confounds a Report of the Committee of Conſtitution relative to the mode of election, with a decree of the National Aſſembly, thus reſting his objections to the ſyſtem of repreſentation eſtabliſhed in France on the united baſis of ignorance and cavil. He objects to the Aſſembly, that it does not hold the authority it exerciſes under any conſtitutional law of the ſtate, although the great end and object of their delegation was *to form* a conſtitution. But to require them to act under the authority of a conſtitutional law, before the conſtitution itſelf exiſted, is no doubt agreeable to Mr. Burke's theory of the "Sublime and Beautiful" in politics. And the *bulls* of this great infallible are to be received as "myſteries of government," or perhaps "truths too ſacred to be diſcuſſed."

In defcanting upon the ſtate of the French finances, Mr. Burke has deemed it expedient to omit all mention of the territorial impoſt ſubſtituted in lieu of the *gabelle*, and other odious and oppreſſive taxes now for ever aboliſhed, thus ingeniouſly contriving to create an annual *deficit* of ſeveral millions ſterling in the public revenue. And in his exaggerated and tragical accounts of the diſorders prevailing in the ſtanding army of France, that ſtanding evil in a free country, he judiciouſly keeps entirely out of view a circumſtance which would "ruin our feelings," and be totally deſtructive of the ſtage effect of the piece; viz. that a committee, conſiſting of a number of the ableſt men in France, both civil and military, are actually engaged in framing a plan for its conſtitutional and permanent organization, and the conſequent rectification of thoſe temporary diſorders by which Mr. Burke has been ſo greatly alarmed. The popular aſſemblies of department, Mr. Burke ſtiles a collection of independent democracies; and aſſerts that this republican ſyſtem can never be governed as one body, or be ſet in motion by the impulſe of one mind; forgetting that the newly eſtabliſhed provincial courts are manifeſtly intended to fill the void created by the extinction of the antient provincial Parliaments; and that he himſelf lays it down as a maxim, that good policy required them to build

on

on the antient foundations. And as to the practicability of this ſyſtem, Mr. Burke might have reflected, that the vaſt continent of America is at this day governed, as Holland and Switzerland have been for centuries paſt, by a National Aſſembly or States General, and a multiplicity of ſubordinate legiſlatures, poſſeſſing powers far ſuperior to thoſe veſted by the new conſtitution of France in the provincial aſſemblies or Municipalities.

Mr. Burke inſiſts that the nation is ruined; and ſays that the leaders of the Revolution tell the people, to comfort them in the rags with which they have clothed them, that they are a nation of philoſophers. But it is certain that the commonalty of that kingdom, if they are clothed at all, can ſcarcely be clothed worſe now than they were previous to the Revolution; and the rags of philoſophy are, it may be hoped, at leaſt as reſpectable as the tatters of deſpotiſm. The government of France, like that of Athens, as deſcribed by Pericles, may now, with a noble pride, boaſt "that it is popular, becauſe the end of it is the happineſs of the people or nation, and not that of a few individuals. In our civil capacities," ſays that illuſtrious ſtateſman and patriot, "we all of us enjoy the equal empire of law and equity; and, how different ſoever may be our ſtations and conditions, poſſeſs the ſame

privileges, and have equal pretenſions to offices of truſt and dignity. Reſpect and conſideration are not paid to birth but to merit. Neither poverty nor meanneſs of condition exclude any one from riſing to power or influence, provided he be worthy of them, and capable of ſerving his country."

But Mr. Burke tells us that the people are groſsly deluded; and that thoſe who ſtand upon that elevation of reaſon, to which nothing can aſcend but the ſpirit and moral quality of human actions, will ſay to the teachers of the Palais Royal, "The Cardinal of Lorraine was the murderer of the ſixteenth century—You have the glory of being the murderers of the eighteenth; and this is the only difference between you." Is there no difference, then, between a Cardinal of Lorraine, whoſe robes of function were dyed in human gore—a bigot drunk with the mingled fumes of ambition and fanaticiſm, whoſe red arm of vengeance was ſtretched over a whole nation, to whoſe ſlaughterous thoughts direneſs had become familiar, who triumphed in crimes and delighted in horrors—is there no difference between ſuch a demon incarnate and an Autun or a Seyes, who have conſecrated their labours and their talents to the diffuſion of liberty, virtue, peace, and happineſs, throughout the globe? *Quouſque tandem abutere, Catalina, patientia noſtra?*

It may be pardonable tranſiently to notice, however unworthy of notice, the inſufferable arrogance and contumely with which Mr. Burke has thought proper to treat the Revolution, and Conſtitutional Societies, of whom it would be a very poor and inadequate eulogium to declare, that they include many perſons whoſe heads and hearts would not ſuffer in the compariſon with Mr. Burke's. Theſe aſſociations, it ſeems, have had the misfortune to incur Mr. Burke's high diſpleaſure in conſequence of the Addreſs of congratulation moved by Dr. Price, and tranſmitted by their preſident, Earl Stanhope, to the National Aſſembly, on the glorious reſtoration of the national liberty; and which met with ſo honorable and flattering a reception from that illuſtrious body. Mr. Burke, however, tells us, "that he ſhould ſuſpend his congratulations on the new liberty of France, until he was informed how it had been combined with government, with public force, with the diſcipline and obedience of armies, with the collection of an effective and well diſtributed revenue, with morality and religion, with the ſolidity of property, with peace and order, with civil and ſocial manners. The effect of liberty to individuals is, that they may do what they pleaſe: we ought to ſee what it will pleaſe them to do before we riſk compliments which may be ſoon turned into complaints,

plaints. Am I to felicitate a madman, who has eſcaped from the protecting reſtraint, and wholeſome darkneſs of his cell, on his reſtoration to the enjoyment of light and liberty? Am I to congratulate a highwayman and murderer, who has broke priſon, upon the recovery of his natural rights?" Very extraordinary compariſons theſe, truly! But, Sir, may we not be permitted, without treſpaſſing too far upon your condeſcenſion, to congratulate a fellow-citizen, or even a fellow-man of like paſſions and feelings with our own, who has miraculouſly eſcaped from the horrid dungeons of oppreſſion, on the recovery of his liberty, without waiting till the next century to ſee what uſe he will pleaſe to make of it? "Grand, ſwelling ſentiments of liberty," Mr. Burke, indeed, tells us "he is ſure he does not deſpiſe." But if theſe grand and ſwelling ſentiments are never to be reduced to act, and if the ſpirit of liberty is to evaporate in high ſounding words, inſtead of producing effects really beneficial to mankind, he would be perfectly juſtifiable in deſpiſing them, as well as thoſe traitor friends of liberty who inſidiouſly and oſtentatiouſly affect to adopt them.

Mr. Burke confeſſes, however, "that he never liked this continual talk of reſiſtance and revolution, or the practice of making the extreme medicine of the ſtate its daily bread." Now it is certain

certain that reſiſtance and revolution have been continually talked of in England for more than an hundred years paſt; and as no harm has yet reſulted from it, Mr. Burke's diſlike to this *talk* ſeems to proceed from a panic ſo little allied to reaſon, that it might, on the contrary, be juſtly deemed an alarming ſymptom of political degeneracy, whenever reſiſtance and revolution ſhall ceaſe to be talked of. That the people have an inherent right to reſiſt oppreſſion, to dethrone and puniſh tyrants, and to provide, by the moſt effectual means in their power, for their own ſecurity and happineſs, are it ſeems undeniable truths; but theſe truths we are told are not to be proſtituted by promiſcuous and vulgar communication. No; "this would render the habit of ſociety dangerouſly valetudinary." Who could have thought that England had ſuch a delicate conſtitution? As to the practice of "making the extreme medicine of the ſtate its daily bread," it may be uſeful to hint to Mr. Burke, as the diſtinction does not appear to have occurred to him, that actual reſiſtance is one thing, and mere talk of revolution and reſiſtance is another. And if Mr. Burke would pleaſe farther to reflect that thoſe who have moſt zealouſly maintained the abſtract theory of reſiſtance have been, under the preſent happy Eſtabliſhment, the moſt diſtant from wiſhing to have practical recourſe to it, he would ſurely diſmiſs

miſs his jealous apprehenſions, and ſuffer his "*perturbed ſpirit*" to reſt in peace; or tremble for the ſafety of thoſe governments only, under the dire oppreſſion of which reſiſtance and revolution are not the ſubjects of open and unreſtrained converſe but of deep and ſilent meditation. After all, it is ſomewhat ſurpriſing to be told by Mr. Burke, "that almoſt all the high-bred republicans of his time have become, after a ſhort ſpace, the moſt decided thorough-bred courtiers." And ſtill more ſo to hear him account for it by declaring "that they were *mere ſpeculatiſts* who indulged in magnificent reveries, becauſe they never intended going beyond ſpeculation; and who, finding their principles not applicable to caſes which call only for a qualified, civil, or legal reſiſtance, in ſuch caſes employed no reſiſtance at all, but left the whole taſk and burden of oppoſition to devolve upon thoſe whom, in the pride and intoxication of their theories, they regarded as little better than Tories." If, then, theſe high-bred and turbulent republicans are ſo eaſily metamorphoſed into thorough-bred courtiers, what has the government to fear from their ſpeculations? Or, how is the ſtate endangered by them? And wherefore the terrific exclamation of Mr. Burke, "Let them not break priſon to burſt like a Levanter to ſweep the earth with their hurricane, and to break up the fountains of the

the great deep to overwhelm us." By a ſlight touch of the wand of this "Harlequin Grotius," the ſcene is ſuddenly reverſed; and inſtead of the ſtormy Atlantic of anarchy, we ſhudder at the view of the vaſt and motionleſs Pacific of ſlavery.

In Mr. Burke's wild and impotent attempts to eſtabliſh the High Tory doctrine of an inherent hereditary right in the monarch, independent of the choice of the people, he entirely forgets that the laws of England are an expreſſion of the will of the people, declared by their repreſentatives; that the law, or rule of ſucceſſion, derives its force ſolely from this origin; and while this law remains unrepealed, the inference ſurely is that the people chuſe to be ſo governed. And though the conſtitution of England refuſes to ſuppoſe that the monarch will betray his truſt, yet, if this ſhould ever actually happen, who will dare to affirm that the people have not a right to reſume the truſt ſo forfeited, and to transfer it to more deſerving hands. Or, in other words, that the right of depoſing a tyrant, and of conferring the crown upon the man of their choice, does not inhere in the nation? But Mr. Burke pretends "that it would be to repeat a very trite ſtory, to recal to our memories all thoſe circumſtances which demonſtrate that the *accepting* of King William was not properly a choice." Of theſe circumſtances,

circumſtances, however trite they may be, I recollect nothing. The plain fact is, that the infant ſon and both the daughters of King James were excluded or removed from the ſucceſſion; and that the crown was offered to the Prince of Orange by the two Houſes of Parliament, in the name of all the people of England. And "by a ſweeping clauſe of ban and anathema," all the Catholic branches of the royal family were afterwards ſuperſeded to make room for the Houſe of Hanover. "But," ſays Mr. Burke, "to all thoſe who did not wiſh to recal King James, or to deluge their country in blood, and again to bring their religion, laws, and liberties, into the peril they had juſt eſcaped, it was an act of neceſſity in the ſtricteſt moral ſenſe in which neceſſity can be taken." This is an evaſion almoſt too groſs for the meridian of St. Omer, for what does moral neceſſity mean, but cogency of motive? Becauſe, therefore, there exiſted ſolid, weighty, and urgent reaſons, impelling them to make this choice, Mr. Burke would fain perſuade us it was no choice at all; and that King William reigned, as he tells us his preſent Majeſty continues to do, in CONTEMPT of the choice of the people.* "This prattling," to adopt Mr. Burke's

* The words of Mr. Burke are literally "in contempt of the choice of the Revolution Society." But if his Majeſty reigns

Burke's own polite language, "deſerves not the name of ſophiſtry; it is nothing but plain impudence."

It is obſervable that Mr. Burke, upon all occaſions, takes upon him to declare the ſentiments of the people of England with as much confidence as if they had actually elected him their public orator, and authorized him to ſay ſuch things in their name as he may ſafely defy any of them to underſtand. "When the people," ſays Mr. Burke, "have emptied themſelves of all the luſt of ſelfiſh will which, without religion, it is utterly impoſſible they ever ſhould; when they are conſcious that they exerciſe, and exerciſe, perhaps, in a higher link of the order of delegation, the power which to be legitimate muſt be according to that eternal immutable law in which will and reaſon are the ſame, they will be more careful how they place power in baſe and incapable hands." It ſhould ſeem, therefore, according to Mr. Burke's myſtical theory, that the people exerciſing their power, in a certain order of delegation, have a right to place power in the hands of certain perſons, but not to *chuſe* the perſons in whoſe hands that power ſhall be placed. Again, "Perſuaded that all things ought to be done with

reigns in *contempt* of the choice of one part of the people, he reigns, doubtleſs by a parity of reaſon, in *contempt* of the choice of every part.

refe-

reference, and referring all to the point of reference to which all ſhould be directed, they think themſelves bound not only as individuals in the ſanctuary of the heart, or as congregated in that perſonal capacity to renew the memory of their high origin and caſt, but alſo in their corporate character to perform their national homage, &c." And again—" Society is indeed a contract; and each contract of each particular ſtate is but a clauſe in the great primæval contract of eternal ſociety linking the lower with the higher natures, connecting the viſible and inviſible world, according to a fixed compact, ſanctioned by the inviolable oath which holds all phyſical and all moral natures, each in their appointed place." This has at leaſt the merit of being an original definition of the original compact; and it is no doubt agreeable to Mr. Burke's idea of " political reaſon," which he tells us is " a computing principle, adding, ſubtracting, multiplying, and dividing, morally and not metaphyſically or mathematically, true moral denomination." And in applying this principle to the inveſtigation of the rights of man, it muſt ever be remembered, " that in proportion as they are metaphyſically true, they are morally and politically falſe;" which clearly proves, to the confuſion of " the ſhallow and ſhort-ſighted coxcombs of philoſophy," that truth not only may be but actually is at eternal and

and irreconcileable variance with itſelf. Such, to aſſume a more ſerious tone, is the *Babylonian jargon* with which politicians by profeſſion, ſhrouded in the veil of myſtery, inſult the underſtanding of mankind: and on the ſtrength of which they arrogate, without a bluſh, all wiſdom, knowledge, and even honeſty to themſelves. And whoever attempts to diffuſe rational ideas on the ſubject of government, in language level to common capacities, muſt expect to be abuſed and vilified as an enemy to the peace and order of ſociety, and a factious diſturber of the public tranquillity. Or, at beſt as a blunderer, who "miſtakes the deviation from the principle as the principle itſelf;" that is, who maintains reſiſtance to be the general rule of conduct, and obedience merely the deviation from it.

Mr. Burke aſſerts, "that no government could ſtand a moment if it could be blown down with any thing ſo looſe and indefinite as an opinion of miſconduct." But might not the Mufti of Conſtantinople ſay the very ſame thing in defence of the Turkiſh government? And did it never occur to this veteran politician, that there are degrees of miſconduct? And as on the one hand, a government neither can nor ought to be *blown down* by ſlight and occaſional inſtances of miſconduct; on the other Mr. Burke himſelf will allow, that for radical and incorrigible miſconduct, a

government may be *blown down*, "provided it is done with dignity." Mr. Burke's remark, therefore, is either futile or falſe; and the groſs abuſe levelled at Dr. Price on this head is manifeſtly founded on ſtill more groſs miſrepreſentation. The ſentiments of Dr. Price, reſpecting the general theory of government, do not, in fact, at all differ from thoſe of SOMERS, LOCKE, HOADLEY, HELVETIUS, MONTESQUIEU, and the long train of illuſtrious writers in both kingdoms, who have maintained or admitted that the people are the fountain of all juſt power, and that oppreſſion is a ſufficient ground of reſiſtance. When Dr. Price ſpeaks of the right of the people to chooſe their own governors, to depoſe them for miſconduct, and to frame governments for themſelves, can any one be really abſurd enough to believe that he is ſpeaking of the maxims of common or of ſtatute law? We all know that the Engliſh conſtitution ſuppoſes, and wiſely ſuppoſes, that the King can do no wrong; and it is certain that no government can expreſsly authorize reſiſtance againſt itſelf. Will Mr. Burke pretend that the Revolution in England was an event to be juſtified by an appeal to the *forms* of the conſtitution; which muſt neceſſarily regard reſiſtance as rebellion? No; but the public ſafety required a deviation from forms. And how, in the name of common ſenſe, with which

which the fine ſenſe of Mr. Burke ſeems to have very little connection, is that deviation to be vindicated, but by reſorting to the original and primary principles of government, as ſtated and defended by Dr. Price? Almoſt in the ſame breath, indeed, in which Dr. Price is impeached for inculcating treaſonable doctrines, Mr. Burke himſelf admits that a tyrant may be depoſed, and even puniſhed, "provided it is done with dignity." But however dignified Mr. Burke's plan of reſiſtance to tyranny might be, moſt aſſuredly in the execution of it, or "in reducing his principles to practice," he would not incur leſs perſonal riſk from the penalties of the law than Dr. Price; ſo that his imperious ſcorn, which knows no diſtinction between a Cataline and a Cato, a Jack Cade and a Hampden, a Peters and a Price, may be with equal and retorted ſcorn repaid.

In reply, however, to the clear and ſimple poſition of Dr. Price, that the people have a right to caſhier their governors for miſconduct, Mr. Burke farther ſays, "The queſtion of dethroning, or if theſe gentlemen like the phraſe better, caſhiering Kings, will always be, as it has always been, an extraordinary queſtion of ſtate, and wholly out of the law—a queſtion, like all other queſtions of ſtate, of diſpoſitions, and of means, and of probable conſequences, rather than of poſitive rights. As it was not made for common

abuſes, ſo it is not to be agitated by common minds: the ſpeculative line of demarcation where obedience ought to end, and reſiſtance muſt begin, is faint, obſcure, and not eaſily definable. It is not a ſingle act or a ſingle event which determines it. Government muſt be abuſed, and deranged indeed, before it can be thought of: and the proſpect of the future muſt be as bad as the experience of the paſt. When things are in that lamentable ſituation, the nature of the diſeaſe is to indicate the remedy, to thoſe whom nature has qualified to adminiſter in extremities this critical, ambiguous, bitter potion, to a diſtempered ſtate. Times, and occaſions, and provocations, will teach their own leſſons. The wiſe will determine from the gravity of the caſe; the irritable from ſenſibility to oppreſſion; the high-minded from diſdain and indignation at abuſive power in unworthy hands; the brave and bold from the love of honorable danger in a generous cauſe—but with, or without right, a revolution will be the very laſt reſource of the thinking and the good." In this paſſage the confuſion of ideas almoſt invariably pervading the reaſonings of Mr. Burke, is ſuch, that he does not at all diſtinguiſh between the abſtract queſtion of the lawfulneſs of reſiſtance to oppreſſion; the queſtion relative to the degree of oppreſſion which will juſtify reſiſtance; and the queſ-

tion concerning the expediency of reſiſtance, ſuppoſing the juſtice of it previouſly aſcertained; which is very different from either. Dr. Price merely affirms the abſtract right in general terms; a right which Mr. Burke could not venture expreſsly to deny: and therefore he prepoſterouſly blends and confounds abſtract and concrete, and repreſents the whole amalgamated maſs of abſurdity as a grand and complicated queſtion of ſtate, not to be agitated by common or vulgar minds. But how is the theory of Dr. Price affected by the idle and oſtentatious obſervations of Mr. Burke? They are manifeſtly irrelevant, and totally foreign to the purpoſe of his argument: for, clear as the abſtract principle doubtleſs is, every one will allow, that the right and ſeaſonable application of it demands the higheſt exertions of wiſdom, knowledge, and ability. As to Mr. Burke's favorite notion, that there are extraordinary queſtions of ſtate which ought not to be agitated by common minds, I muſt acknowledge myſelf unacquainted with any "line of demarcation," or ſtandard of intellect, by which men can be juſtly precluded from agitating any queſtion they think proper. "But it is the misfortune of the preſent age," as we are told by Mr. Burke, "that every thing is made the ſubject of diſcuſſion." And if men of *common minds* would renounce the trouble of inveſtigation, and ſuffer

men of "fire and fancy," like Mr. Burke, to inform them what they are to believe, "the dignity of thinking of the fourteenth century" would no doubt be very ſpeedily reſtored amongſt us. "But, alas! the glory of Europe is extinguiſhed for ever:" and it is now aſſerted to be the equal right of all to ſee with their own eyes, to hear with their own ears, and to judge with their own underſtandings.

Mr. Burke's indignation riſes very high againſt Dr. Price, for aſſerting that the King is no more than the firſt ſervant of the public, created by it, and reſponſible to it. But is it the will of the community, or is it his own will that a King is bound to execute? If the public will, then in the cleareſt and moſt intelligible ſenſe of the term, he is the ſervant of the public, however elevated his commiſſion, or whatever ſtreſs Mr. Burke may chooſe to lay on the profane titles of Sovereign Lord and Sacred Majeſty, by which, in the language of feudal barbariſm, he is ſometimes diſtinguiſhed*. But farther, Kings,

* The notion promulgated by Mr. Burke, after lying many years dormant—that queſtions of ſtate ought not to be agitated by common minds—reſts, it muſt be acknowledged, upon high and remote authority. The Britiſh Solomon, King James I. in a royal Proclamation, iſſed *A. D.* 1621, commanded his ſubjects, "on their allegiance, not to intermeddle, by pen or ſpeech, with ſtate concernments and ſecrets of

Kings, as Dr. Price affirms, are created by the people. This Mr. Burke will not admit; and ſeems rather of opinion that they are of an eſſence increate, or that they created themſelves, or perhaps that they derive their origin, like the Incas of Peru, from the ſun and the moon. Laſtly, Kings are reſponſible to the public. "It is falſe," exclaims Mr. Burke.—"Our conſtitution knows nothing of a magiſtrate like the *Juſticia* of Arragon, nor of any court legally ſettled for ſubmitting the King to public reſponſibility." But there is a conſtitution, ignorant as Mr. Burke may be of its exiſtence, the authority of which extends not over England only, but the whole globe; a conſtitution founded on the baſis of eternal reaſon, which declares the ſafety of the people to be the ſupreme law. Therefore, to tranſcribe the ever memorable words of Sir William Blackſtone, "Though the oppreſſions

of empire, either at home or abroad, which were not fit themes for *vulgar perſons*." When, however, Mr. Burke expreſſes ſuch indignant reſentment at hearing the King ſtiled "the ſervant of the public," he goes a ſtep beyond James himſelf; for this monarch, in anſwer to an Addreſs of the Commons, *A. D.* 1603, ſays, "that I am a ſervant of the ſtate is moſt true: I will never be aſhamed to confeſs it my principal honor to be the great ſervant of the COMMONWEALTH." In the ears of Mr. Burke, doubtleſs, the oriental appellations of "roſe of beauty," and "nutmeg of delight," ſound far more decorous and rational.

of the ſovereign power muſt neceſſarily be out of the reach of any ſtated rule or expreſs legal proviſion, if they ever unfortunately happen, the wiſdom of the times muſt provide new remedies upon new emergencies. And when deſolation advances with gigantic ſtrides, mankind will not be reaſoned out of the feelings of humanity; nor will ſacrifice their liberty by a ſcrupulous adherence to thoſe political maxims which were at firſt eſtabliſhed to preſerve it." The celebrated Hume alſo, who has often been ſtigmatized as a Tory, though the Toryiſm of Hume is, in my opinion, far preferable to the Whiggiſm of Burke, heſitates not to ſay, "That common ſenſe teaches us, that as government binds us to obedience only on account of its tendency to public utility, the duty of allegiance muſt always, in extraordinary emergencies, yield to the primary and original obligation." And he adds, that the ONLY queſtion among good reaſoners reſpects the *degree* of neceſſity which can juſtify reſiſtance, and render it lawful or commendable. And though he conſiders, for juſt and weighty reaſons which he enumerates, reſiſtance to be the laſt refuge in extreme and deſperate caſes, he advances, with his characteriſtic good ſenſe, two arguments in vindication of thoſe who have inculcated, with unremitted zeal, a theory ſo practically dangerous. The firſt is the extrava-

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gant height to which their antagoniſts have carried the doctrine of obedience, which, as he ſays, made it neceſſary to inſiſt upon the exceptions, in order to defend the injured rights of truth and liberty. The ſecond, which he ſtiles the better reaſon, ariſes from the very nature of our conſtitution, which eſtabliſhes the irreſponſibility of the monarch, becauſe of the impoſſibility of providing a ſuperior power, in the ordinary courſe of law, to chaſtiſe the exorbitances of the ſovereign power. But as a right without a remedy would be an abſurdity, the remedy in this caſe is, as he tells us, the extraordinary one of reſiſtance, when the conſtitution can be no otherwiſe defended. Reſiſtance, therefore, is a doctrine conſonant to the ſpirit of the conſtitution: and in a free country, which has at the ſame time limited the ſovereign by law, and placed him in his own perſon beyond the reach of the law, it ought never, agreeably to the whole ſcope of his judicious and animated reaſoning, to be forgotten or loſt ſight of, and certainly much leſs to be artfully diſguiſed or ſtudiouſly concealed.*

So far indeed is Dr. Price from advancing any doctrines new or ſtrange on the ſubject of government, that we find the venerable Hooker

* Hume's Eſſays, Vol. I. p. 487-90.

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inculcating the ſame radical ſentiment 200 years before him. "Government was originally ordained," ſays that juſtly admired writer, "by mutual agreement amongſt men yielding themſelves ſubject thereunto: that unto whom they *granted* authority to rule and govern, by them the peace, tranquillity, and happy eſtate of the reſt might be procured. And the public power of every ſociety, being above every ſoul contained in the ſame ſociety, muſt be obeyed, UNLESS there be reaſon ſhewed which may neceſſarily enforce, that the law of reaſon or of GOD doth enjoin the contrary. For men always knew that where force and injury was offered they might be defenders of themſelves. LAWS they are not which PUBLIC APPROBATION hath not made ſo: and for any prince or potentate of what kind ſoever upon earth to exerciſe the power of making laws of himſelf, is no better than mere tyranny." And he elſewhere tells us, "that to live by one man's will became the cauſe of all men's miſery." How does this differ, except as *lemma* and *corollary* differ, from the aſſertion of Dr. Price, that a King of England is almoſt the only lawful monarch upon earth, becauſe almoſt the only one who governs by the choice or conſent of the people? Hooker no leſs than Price ſaw with indignation the ſacred rights of man flagrantly violated and trampled upon

upon by the arbitrary domination of princes: and Mr. Burke might affirm of the former as truly as of the latter, "that he proclaims uſurpers by circles of latitude and longitude over the whole globe." Happily the reputation of Hooker, now conſecrated by time, riſes far above the reach of Mr. Burke's malevolence. But had that great man publiſhed his immortal work in the preſent day, he would have been doubtleſs inſulted in the language of ineffable pride and ſcorn, "as a political theologian or theological politician, equally ignorant of the character he left and of that he aſſumed."

But if Kings who did not owe their crown to the choice of their people, nor founded their right to govern on the public approbation, had no right to make laws, what, exclaims Mr. Burke, will become of the ſtatute *de tallagio non concedendo*—of the *petition of right*—of the Act of *Habeas Corpus*—laws of ineſtimable value to our liberty? Not to mention that theſe were all juſt and wiſe proviſions, originating with the popular branch of the legiſlature, to which the aſſent of the monarch was given with the higheſt degree of public approbation, it is plain that Mr. Burke in his affright forgets what in his calmer moments he readily concedes—that government is founded upon utility; being, as he ſomewhere expreſſes it, a contrivance of human wiſdom to provide for

for human events. That regard to general utility, therefore, from which government firſt originated, creates alſo a civil obligation of obedience to eſtabliſhed governments, by which this end is in any degree attained, though conſtructed on principles manifeſtly unjuſt and unlawful, if reſiſtance offers no probable or reaſonable proſpect of advantage or redreſs. And if a free government be afterwards eſtabliſhed, the laws of the former government which remain unrepealed are virtually and ſubſtantially confirmed. So that if the throne of England had been "ſtained with the blot of a continual uſurpation previous to the Revolution," the laws which he enumerates would now reſt preciſely upon the ſame foundation of authority with the laws ſubſequently enacted—a great *myſtery of government* this, abſolutely incomprehenſible by great geniuſes, and intelligible only to men of *common minds*.

But to be ſerious—How unlike and how inexpreſſibly ſuperior appears the clear and manly ſenſe of Blackſtone, Hume, and Hooker, to the perplexed and gaudy ſophiſtry of Burke! from whoſe work, if any one can extract a juſt and rational, or indeed any intelligible theory of government, *erit mihi magnus Apollo*. Evidently poſſeſſing no clear or diſtinct ideas upon the ſubject, he is alternately engaged in defending and oppoſing

oppoſing the ſame radical poſitions. His feelings, however, are much more eaſily developed than his principles; and that delicate ſenſibility with which he ſympathizes in the ſufferings of the great—extending itſelf even to "the killing languor and over-labored laſſitude" of thoſe whoſe ſole and dire misfortune it is to have nothing to do—is every where contraſted by a proud and ſtately apathy for the miſeries of the people, or as Mr. Burke chuſes to ſtile them, the "ſwiniſh multitude."

Upon the whole this book of Mr. Burke exhibits a ſtriking illuſtration of the obſervation of Selden that "no man is the wiſer for his learning," or, as he might have added, for his wit or his eloquence; for a performance ſo weak, ſo incoherent, ſo deſtitute of argument and information; written ſo much at random, and at the ſame time in a ſtile ſo peculiarly inſolent, the Engliſh language affords, perhaps, no example of. "Firſt your logic, and then your rhetoric," ſays that juſtly celebrated writer; but *this* is the performance of a mere rhetorician, who fancies that a pompous flow of words and a gorgeous glare of imagery render all attention to ſenſe and conſiſtency needleſs. It is a book dangerouſly calculated to ſoothe the pride, to dazzle the imagination, and to inflame the ambition of Kings. It has a tendency to repreſs or rather to extinguiſh

guiſh every generous emotion of the ſoul, and to plunge us again into the chaos of Gothic ignorance and darkneſs. Amongſt all his bold aſſertions, what is it that Mr. Burke has *proved?* or rather what is it that he has even attempted to *prove?* He has affirmed that France was previous to the Revolution in poſſeſſion of a good conſtitution. But inſtead of developing, with political or philoſophical accuracy, the principles of this conſtitution, and the beneficial effects of thoſe principles as they operated upon the community at large, he talks only of "her fame in war; of the flouriſhing ſtate of thoſe arts which beautify and adorn life; of her able ſtateſmen; of her profound lawyers and theologians; her philoſophers, her critics, her hiſtorians, and antiquaries; her poets and her orators, ſacred and profane;"—not in the leaſt recollecting, that when he had another purpoſe to ſerve, he had himſelf ſtigmatized this government as "a RELENTLESS DESPOTISM—a deſpotiſm indeed proudly arrayed in manners, gallantry, ſplendor, magnificence, and even covered over with the impoſing robes of ſcience and literature." He has alſo affirmed, that the preſent conſtitution is "a ſenſeleſs and barbarous conſtitution; ſubverſive of the public order, dignity, and happineſs. But upon this ſubject not merely his inveterate prejudices, but his groſs ignorance of facts, evidently

dently and totally disqualify him from forming any judgment. He has affirmed, that a radical and permanent reform might have been effected in the state without tumult or bloodshed. But it is certain, that if the ancient mode of voting by orders had been adopted by the assembly, the *Tiers Etat*, or the representatives of the people, would have been degraded into mere cyphers; that the business of reform must have been entirely left to the crown, acting in concert with the nobles and clergy; and who besides Mr. Burke would deem it expedient to leave the oppression to be destroyed by the oppressors? The conjunction of the three orders, so opposite to the views of the aristocratic faction, was succeeded by the most alarming measures on the part of the court. A formidable military force was collected, and the National Assembly menaced with instant destruction. In these circumstances the insurrection of July was not, as Mr. Burke stiles it, "an abominable sedition," but a great and glorious effort of the people in defence of themselves and their representatives. Nor did the danger of a counter revolution cease, till the person of the monarch was, by another daring exertion of irregular, though salutary violence, subjected to those severe restraints which cannot even now be with safety removed.

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In fine, Mr. Burke has affirmed that it is no leſs than high treaſon to maintain that the people have an inherent right to chuſe their own governors, to depoſe them for miſconduct, and to frame new governments, in caſe of the incompetency or delinquency of the former governments, for themſelves. Conſequently, the two Houſes of Parliament and all the people of England were guilty of high treaſon in depoſing King James, and in placing King William on the throne; and the throne of England ſince the revolution has been "ſtained with the blot of one continual uſurpation."

In this new ſpecies of Gothico-hiſtorical romance, are indeed interſperſed many very old and ſage reflections on the evil and danger of innovation as ſuch, whether civil, political, or religious. "To avoid the evils of inconſtancy and verſatility, ten thouſand times worſe than thoſe of obſtinacy and the blindeſt prejudice, evils by which the whole chain and continuity of the commonwealth would be broken, and no part of life would retain its acquiſitions; we have, as Mr. Burke is pleaſed to expreſs himſelf, *conſecrated* the ſtate, that no man ſhould look into defects or corruptions but with due caution; that he ſhould approach them with pious awe and trembling ſolicitude." But, alas! men of *common minds*, viewing things only in a common way,

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are not accuſtomed to regard acknowledged defects and corruptions with that holy reverence which Mr. Burke recommends. And notwithſtanding the general excellence of that conſtitution of government, which was eſtabliſhed at the æra of the Revolution, it appears to them that various corruptions and defects ſtill exiſt much more calculated to excite indignation than "pious awe." Such, for inſtance, is that over-ruling influence of the crown, which has now ariſen to ſuch an alarming height of preſumption as openly to claim the uninformed, unlimited, unfailing confidence of Parliament in the rectitude of all its tranſactions, as its conſtitutional right. Such, alſo, is that radical defect in the ſyſtem of parliamentary repreſentation, which ſo materially detracts from its dignity and authority, as to embolden the miniſters of the crown to inſult the legiſlature by this daring language without riſquing the puniſhment due to their temerity. In other, and better times, the perpetuation of a formidable ſtanding army in time of peace was accounted an evil; to which may be added the exiſtence of a ſecond army of placemen and penſioners, ſcarcely leſs numerous and maintained at the public expence in luxurious idleneſs; while the commonalty of the realm are groaning under the oppreſſion of a grievous and almoſt intolerable load of taxes, impoſed for the ſupport of

an enormous peace eſtabliſhment, and the payment of the intereſt of an incredible public debt, contracted by folly the moſt egregious, to gratify ambition the moſt pernicious. Theſe are amongſt the evils which Mr. Burke thinks we ought to approach with pious awe and trembling ſolicitude. And of theſe defects and corruptions if the nation ſhould demand a radical reform, as the true mode of "conſecrating the ſtate," Mr. Burke would turn pale with apprehenſion "leſt the commonwealth itſelf ſhould in a few generations crumble away, be diſconnected into the duſt and powder of individuality, and at length diſperſed to all the winds of heaven."

Ever the obſequious and devoted admirer of antiquity, Mr. Burke even deems it a ſubject of triumphant boaſt that little or no alteration has been made ſince the fourteenth or fifteenth century in our old Monkiſh inſtitutions and Gothic modes of education; "adhering," ſays he, "in this particular, as in all things elſe, to our old ſettled maxim not entirely or at once to depart from antiquity." It ſhould ſeem, therefore, that when any propoſition, apparently conducive to the public improvement, is advanced, that Mr. Burke thinks it the part of wiſdom to take four or five hundred years to *conſider* about it. "We thought," ſays he, "theſe old inſtitutions capable of receiving and meliorating, and above all, of

preſerving the acceſſions of ſcience and literature as the order of providence ſhould ſucceſſively produce them." This being the caſe, therefore, and theſe old inſtitutions being found "capable of meliorating the acceſſions of ſcience produced by the order of providence," it was very properly and diſcreetly judged, according to Mr. Burke, to leave in return the order of providence to meliorate the defects of the old inſtitutions.

After all this aſtoniſhing diſplay of wiſdom, a man of *common* underſtanding will probably be ſtill inclined to aſk, "Is every idea of reformation or improvement then chimerical and abſurd, becauſe innovation is or may be attended with hazard? Undoubtedly it is the part of true policy to inveſtigate and diſcriminate; to obſerve the ſigns of the times, and to attempt only what is feaſible as well as beneficial. That in France nothing has been attempted but what was feaſible, the ſucceſs of the attempt plainly demonſtrates; and the people by whom and for whom this change was wrought are perfectly ſatisfied that it will prove highly beneficial. In theſe circumſtances, therefore, for a man to ſeat himſelf in the chair of wiſdom, in order to read a tedious and pompous lecture filled with trite and common-place maxims of policy and prudence; or, in the language of Shakeſpeare, "to *expoſtulate*

What majeſty ſhould be, what duty is,
Why day is day, night night, or time is time,
Were nothing but to waſte night, day, and time."

Elate, however, with the idea of being a ſtateſman born and bred, Mr. Burke reproaches the French nation for calling in the aid of philoſophy in framing their new plan of government, and of philoſophers in general, he ſpeaks upon every occaſion with the moſt ſovereign diſdain; ſeriouſly referring us for a true idea of their character and eſtimate of their merits to Swift's whimſical romance of Laputa. But were not Locke, Hume, Monteſquieu and Franklin, philoſophers? And if ſuch men as theſe are not to be conſulted, from whom are the vulgar race of mortals to expect aſſiſtance and illumination in caſes of doubt and difficulty? Not ſurely from proud, poſitive, and paſſionate dogmatiſts, the avowed enemies of diſcuſſion, who ſigh for the return of the ancient times of chivalry, that golden age of ariſtocracy, and who are ſo blindly and obſtinately attached to old prejudices, that they even profeſs to cheriſh them becauſe they *are* prejudices. Beſides, Mr. Burke ſhould conſider, before he vents his rage againſt philoſophy, that it might have pleaſed Heaven to have made him a philoſopher; though ſo clear it muſt be owned does his character now ſtand from any ſuſpicion of this nature, that, to adopt

adopt the words of Mr. Locke in ſpeaking of Sir Robert Filmer, "If any one will be at the pains to ſtrip his diſcourſe of the flouriſh of doubtful expreſſions, and endeavour to reduce his words to direct, poſitive, and intelligible propoſitions, and then compare them with one another, he will be quickly ſatisfied there was never ſo much glib nonſenſe put together in well ſounding Engliſh."

Upon a calm review, however, of Mr. Burke's extravagancies, indignation gradually ſubſides into contempt, and we receive with indulgence the apology which candor is eager to offer for the recent conduct of this hot and heady old LEAR of the political drama—"'Tis the infirmity of his age—yet he hath ever but ſlenderly known himſelf; the beſt and ſoundeſt of his time hath been but raſh—then muſt we look from his age to receive not alone the imperfections of long-engrafted condition, but therewithal the unruly waywardneſs and inconſtant ſtarts that infirm and choleric years bring with them."

ESSAY XXVI.

EXAMINATION OF AN APPEAL FROM THE NEW TO THE OLD WHIGS.

THE APPEAL opens with a formal complaint, that the parliamentary friends and aſſociates of Mr. Burke have diſcarded him from their connection; "that when his only aim was '*petere honeſtam diſmiſſionem*,' they have not choſen to grant him this boon; that they in effect tell him he has loaded the ſtage too long; that they conceive it to be a harſh but neceſſary office to declare to the preſent and future times, that by one book he has diſgraced the whole tenor of his life." From this ſentence Mr. Burke appeals to the judgment of all impartial men—he appeals from the living to the dead—from the modern Whigs to the ancient. In making this Appeal Mr. Burke means, *Firſt*, to vindicate his principles and public conduct, as perfectly conſonant to the dictates of right reaſon; and, *Secondly*, to ſhew that they are corroborated by the ſentiments and authority of thoſe who have long been regarded as the moſt unexceptionable models of true and genuine Whiggiſm.

1ſt, "If," ſays Mr. Burke, "any number of Britiſh ſubjects, taking a factious intereſt in the proceedings of France, begin publicly to incorporate themſelves for the ſubverſion of nothing ſhort of the whole conſtitution of this kingdom; to incorporate themſelves for the utter overthrow of the body of its laws, civil and eccleſiaſtical, and with them of the whole ſyſtem of its manners, in favor of the new conſtitution, and of the modern uſages of the French nation; I think no party principle could bind the author not to expreſs his ſentiments ſtrongly againſt ſuch a faction.—Is it wrong, in any ſenſe, to render the people of England ſenſible how much they muſt ſuffer, if unfortunately ſuch a wicked faction ſhould become poſſeſſed, in this country, of the ſame power which their allies in the very next to us have ſo perfidiouſly uſurped, and ſo outrageouſly abuſed?" Certainly, if ſuch ſeditious proceedings as Mr. Burke deſcribes were openly carried on with impunity, it argues the moſt extraordinary indulgence, or rather the moſt culpable remiſsneſs on the part of the government, that the hiſtory of any age or country affords an example of. If a charge of this magnitude be founded on truth, why is it not ſupported by ſpecific proofs, inſtead of being brought forward in a manner ſo vague and general, as to admit of no other refutation than a ſimple denial.

When Mr. Burke was called upon again and again in Parliament for evidence of theſe allegations, was he not reduced to the ignominious neceſſity of exhibiting himſelf to the whole world in the light of a PUBLIC DEFAMER? And it appeared that theſe malignant ebullitions of paſſion were excited merely by the peaceable and amicable aſſociations formed in divers parts of the kingdom, to celebrate the eſtabliſhment of a free conſtitution in France! It is true that Mr. Burke is pleaſed to aſſert, "that the new conſtitution of France is a foul, impious, and monſtrous thing, wholly out of the courſe of moral nature; that it is a tyranny far beyond any example that can be found in the civilized European world of our age; that it is ſo fundamentally wrong as to be utterly incapable of correction, or of being formed into any rational mode of civil polity." But as others were under no obligation, civil or moral, to adopt theſe ſtrange opinions; as many conceived, on the contrary, that this new conſtitution was very favorable to the liberty and happineſs of the French nation, and the world at large, they could diſcern no impropriety or indecorum in celebrating its eſtabliſhment; bearing, as it certainly muſt be allowed to do, a more ſtriking analogy to the conſtitution of this country than to any other now exiſting. In reſpect to thoſe points in which they

they differed, a variety of opinions would neceſſarily prevail. What ſome regarded as defects would to others appear improvements. But by what new ſpecies of tyrannic reſtraint is it poſſible to prevent men from forming their own ſpeculative concluſions, on ſubjects of ſufficient magnitude to become the theme of general diſcuſſion. The conſtitution of our own country is ſo radically and practically excellent, that to attempt any reformation even of its abuſes by violent means, would be in the higheſt degree criminal; and the nefarioufneſs of the attempt could only be equalled by the folly and madneſs of it. Even admitting the abſtract ſuperiority of the conſtitution of France, ſtill we may, with the higheſt conſiſtency and propriety, ſay with Mr. Pitt, "that the conſtitution of England is beſt for us in our circumſtances;" and whatever gradual improvements may take place, can only be deſirable when effected under the ſanction and authority of the ſupreme power of the ſtate. It is, as Mr. Fox happily obſerved, the great and characteriſtic excellence of the Engliſh conſtitution, that any thing good may be engrafted upon it. But the people of England neither will or ought to be in haſte to engraft upon it regulations, however ſpecious in theory, which are grounded in no political experience, nor ariſe from any obvious neceſſity. In framing a conſtitution wholly

wholly new, the French nation were fully warranted in their endeavors to attain what to them appeared the ſtandard of political perfection. But our conſtitution is actually formed; we know that the great ends of government are anſwered by it. And though it would be abſurd to pretend that it is incapable of improvement, and abſolutely free from imperfection, the privileges and advantages we poſſeſs are far too great to leave room for the heſitation of a moment, whether it be adviſeable to ſeek for an extenſion of our liberties, or a redreſs of our grievances, at the riſk of involving ourſelves in civil contentions and commotions. But can any parallel be drawn between the ſituation of this country and that of France? The French nation had long groaned under a vile and oppreſſive yoke. By an unprecedented exertion of heroic valor, they, by one grand effort, annihilated the deſpotiſm of a thouſand years, and eſtabliſhed, by general conſent, that form of government which appeared to them moſt equitable and eligible. In order to juſtify our congratulations upon this happy change, were we bound to enquire with ſcrupulous accuracy into the complex machinery of this new conſtitution, and to refrain from expreſſing any marks of approbation if we perceived it to deviate in any reſpect from the conſtitution of our own country? No, certainly; it

it is ſufficient if we diſcern in it the general characteriſtics of a free government. It is enough if they themſelves are ſatisfied with it, and happy under it. For ſurely it will not be denied, that freedom may ſubſiſt under a variety of forms of government; and theſe different forms may be wiſely and happily adapted to the different ſituations and circumſtances of different nations. Are we ſo devoid of liberality, as to ſuppoſe it incumbent upon every other people to adhere preciſely to the model of our conſtitution? Nothing can be weaker, more falſe and injurious, than to infer, that thoſe who rejoice in the Revolution of France are deſirous of effecting a ſimilar Revolution in England. The former is a juſt ſubject of exultation—the latter of abhorrence. And to pretend that thoſe who celebrate the one muſt meditate the other, is, to borrow the words of Mr. Burke, "the viſion of a diſtracted brain, or the invention of a malicious heart." Nor are the effuſions of indiſcreet warmth and honeſt enthuſiaſm to be haſtily branded as proceeding from diſaffection to the government. Should any one, for inſtance, hold up to public execration "that corrupt influence which is itſelf the perennial ſpring of all diſorder, which takes away all vigor from our army, wiſdom from our councils, and every ſhadow of authority and credit from the moſt venerable

rable parts of the conſtitution *," ought he not rather to be applauded for his zeal, than cenſured for his raſhneſs? Has not the inequality of the national repreſentation been a continual theme of regret and reproach? Have not efforts been repeatedly made by the beſt and wiſeſt of our ſenators to remedy this defect? Has not Mr. Pitt himſelf brought forward motion after motion for this purpoſe? Has he not declared that he will never loſe ſight of it, and that it ſhall be the great object of his life to accompliſh this reform? Why then are thoſe entertaining the ſame general opinion with this admired and applauded miniſter to be vilified and abuſed as enemies to their King and country, for ſtiling the Houſe of Commons, as at preſent conſtituted, in the language certainly of rhetorical exaggeration, but with much too near an approach to truth, "a ſhadow and mockery of repreſentation?" Is no man at liberty to adopt a bold and glowing expreſſion but Mr. Burke? And does he mean to claim an abſolute monopoly of all the tropes and figures in the compaſs of language? There was a time when Mr. Burke talked in a manner very different, and far leſs courtly: there was a time when he thought himſelf privileged to uſe expreſſions at leaſt as bold and as pointed as thoſe which he would now repreſent as factious, ſedi-

* Vide Burke's Speech on Reform, p. 1.

tious,

tious, and even treaſonable. In his celebrated pamphlet, intitled, "Thoughts on the Cauſes of the preſent Diſcontents," we find a variety of curious paſſages, which plainly prove, that when Mr. Burke happens to be out of humour with the government, the moſt unreſtrained liberty of ſpeech is perfectly conſtitutional; as on the contrary it is now equally clear, that when he is pleaſed to declare himſelf ſatisfied, it is preſumption and temerity for any one elſe to paſs the ſlighteſt cenſure even upon that which he himſelf formerly reprobated and condemned in terms of the moſt poignant ſeverity. From this well known pamphlet it appears that Mr. Burke was once of opinion, "that the virtue, ſpirit, and eſſence of a Houſe of Commons conſiſts in its being the expreſs image of the feelings of the nation. An addreſſing Houſe of Commons and a petitioning nation; an Houſe of Commons full of confidence when the nation is plunged in deſpair; who vote thanks when the public opinion calls upon them for impeachments; who are eager to grant when the general voice demands account; who in all diſputes between the people and adminiſtration preſume againſt the people; who puniſh their diſorders, but refuſe even to enquire into the provocations to them; this is an unnatural, a monſtrous ſtate of things in this conſtitution. Such an aſſembly is not to any popular

popular purpoſe an Houſe of Commons. This change, from a ſtate of delegation to a courſe of acting as from original power, is the way in which all popular magiſtracies in the world have been perverted." And he tells us, "that for his part, he ſhall be compelled to conclude *the principle of Parliament to be totally corrupted, and therefore its ends to be entirely defeated*, when he perceives two ſymptoms:—Firſt, a rule of indiſcriminate ſupport to all miniſters; and ſecondly, the ſetting up any claims adverſe to the right of a free election." And he undertakes to prove, that theſe two ſymptoms did at that time actually and evidently exiſt. But if the principle of Parliament is totally corrupted and its ends entirely defeated, what more can be wanting to juſtify any man in ſtiling it "a mockery of repreſentation?"

Mr. Burke farther tells us, "that a ſtrenuous reſiſtance to every appearance of lawleſs power, a ſpirit of independence carried to ſome degree of enthuſiaſm, an inquiſitive character to diſcover, and a bold one to diſplay every corruption and every error of government, are the qualities which juſtly recommend a man to the favor and confidence of the people." He even ſcruples not to aſſert, "that in the ſituation in which we ſtand, with an immenſe revenue, an enormous debt and mighty eſtabliſhments, he ſees no other way

way for the preſervation of a decent attention to public intereſt in the repreſentative body, but the INTERPOSITION of the PEOPLE, whenever it ſhall appear to be neceſſary to hold the conſtitution to its true principles. The diſtempers of monarchy were the great ſubjects of apprehenſion and redreſs in the laſt century; in this the diſtempers of Parliament, and it is not in the Parliament alone that the remedy for parliamentary diſorders can be completed. Hardly, indeed, can it begin there. It is not ſupport that is wanting to government, it is reformation." And arguing in defence of political connections and aſſociations, he obſerves, "that unconſtitutional ſtatemen have always repreſented connection and faction as equivalent terms; and the reaſon is evident. Whilſt men are linked together they eaſily and ſpeedily communicate the alarm of any evil deſign; they are enabled to fathom it with common counſel, and to oppoſe it with united ſtrength. When bad men combine the good muſt aſſociate, elſe they will fall one by one an unpitied ſacrifice in a contemptible ſtruggle." "Certain," ſays he, "it is, that the beſt patriots in the greateſt commonwealths always commended and promoted ſuch connections. *Idem ſentire de Republica*, was with them a principal ground of friendſhip and attachment. The ROMANS, in particular, carried this principle a great way. This whole

whole people were diſtributed into particular ſocieties, in which they acted in ſupport of ſuch intereſts in the ſtate as they ſeverally affected. This wiſe people believed friendſhip to be no mean ſtep towards patriotiſm. It was their wiſh to ſee public and private virtues harmoniouſly combined, and growing out of one another in a noble and orderly gradation."

And again; "Critical exigencies will ariſe. This, if I am not miſtaken, is one of them. Men will ſee the neceſſity of honeſt combination: but they may ſee it when it is too late; and they may at length find themſelves under the neceſſity of CONSPIRING inſtead of conſulting." Who in reading theſe and ſimilar paſſages is not loſt in indignation and aſtoniſhment at the matchleſs effrontery of a man, who in his angry moods can indulge himſelf in ſuch unbounded licence of ſpeech; and yet affect to apprehend danger from, and dare to impute criminal diſaffection to thoſe, who in compariſon with himſelf may be conſidered as guarded and cautious writers? What a torrent of furious and malignant declamation would not this political PROTEUS have poured forth, had Dr. Price or Dr. Prieſtley talked of the probable neceſſity of *conſpiring againſt the government*, or recommended an *interpoſition of the people* as the only means of reſtraining the unconſtitutional innovations of the legiſlative body!

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The only circumſtance which gives any plauſible color to Mr. Burke's charge of faction and ſedition, is the approbation publicly expreſſed of the famous pamphlet of Mr. Paine by the Conſtitutional Society; Mr. Burke having diligently ſelected divers of the moſt exceptionable paſſages in that performance as a fair ſample of their political principles. But Mr. Burke would have done well to recollect that Mr. Paine's pamphlet was incomparably the fulleſt and ableſt reply to his own book which had then appeared*, and the only one which had treated it with the contempt it deſerved. It is no wonder therefore that the Society was deſirous to promote its circulation, "as a maſterly refutation of an audacious libel." But in their ſubſequent very proper diſavowal of the republican principles of Mr. Paine, they refer to their ſucceſſive publications as demonſtrative of their attachment to the conſtitution of their country. "We only contend, "ſay they, "with a zeal ſuitable to

* The gallantry of the age would however ſuſtain indelible reproach could it be forgotten, that to the pen of a Lady we owe the earlieſt "Vindication of the Rights of Man" in this memorable controverſy:

Thus never knight with mortal arms eſſay'd
The caſtle of proud Buſyrane to quell,
Till Britomart her beamy ſhield diſplay'd,
And broke with golden ſpear the mighty ſpell.

the importance of the ſubject, for the revival of forms approved by experience, and derived from principles the moſt ſimple and ancient. Defended by the ſhield of conſcious integrity, we dread not the darts of loquacious calumny. It was never in our contemplation to extend a reform beyond the manifeſt corruptions of that part of it which the people at large have an undoubted right to create; and reflect with perfect ſatisfaction on no other mode of redreſs than what the eſtabliſhed forms of the conſtitution may ſanction." In Mr. Paine's attack upon monarchy there is certainly much virulence, and I think much weakneſs; and it is truly to be regretted that a performance, in many reſpects ſo excellent, ſhould be diſgraced by ſuch ſtrange eccentricities.

Mr. Burke very deeply laments that he was not permitted, in the diſcuſſion which took place on the Canada Bill, to expoſe in their true colors the iniquity and abſurdity of the new conſtitution of France, which, as it was not propoſed to eſtabliſh that conſtitution in Canada, ſeemed to the Houſe of Commons entirely ſuperfluous. "If," ſays he, "it had been permitted to Mr. Burke, he meant to DEMONSTRATE that the French conſtitution was not a comparative good but a poſitive evil; that the Revolution in France eſtabliſhed neither a monarchy nor a republic; but

but that it was a wild attempt to methodize anarchy, to perpetuate and fix diſorder. He propoſed to prove that the preſent ſtate of things in France is not a tranſient evil productive of a laſting good, but that it is only the means of producing future, and if it were poſſible worſe evils. He would have ſhewn diſtinctly that what the Aſſembly, *calling itſelf National*, had held out as a large and liberal toleration, is in reality a cruel and inſidious perſecution; that this perſecution is not againſt a variety in conſcience, but againſt all conſcience; that it profeſſes contempt towards its object, and unites the oppoſite evils of intolerance and indifference. He would have ſhewn, that the univerſal peace and concord amongſt nations which theſe common enemies of mankind hold out was a coarſe and clumſy deception. He was prepared to ſhew the *madneſs* of their declaration of the pretended rights of man, and the miſchievous tendency of all ſuch declarations. He was prepared to ſhew, that the Aſſembly had violated every principle of government, juſt or unjuſt. In a word, he was ready to ſhew that thoſe who could, after ſuch a full and fair expoſure, continue to countenance the French inſanity, were not miſtaken politicians but bad men." All theſe allegations, apparently better calculated for the meridian of St. Luke's than St. Stephen's, he tells us he was

ready in his place to ſupport by deciſive evidence—by arguments which could not be refuted—by documents which could not be queſtioned.

Now with all poſſible deference and ſubmiſſion to this great ſtateſman and orator, I conceive that the very ſame evidence which would have ſufficed ſo deciſively to prove all theſe marvellous poſitions *in* the Houſe of Commons, would equally avail to eſtabliſh them out of the Houſe. Why then does not Mr. Burke produce his ſtrong reaſons? Why, after publiſhing pamphlet after pamphlet, are we ſtill left to gueſs what theſe reaſons are? Why inſtead of DEMONSTRATION does he ſubſtitute high-flown declamation and paſſionate abuſe? Although Mr. Fox in the debate alluded to expreſsly declared, that on the ſubject of the French Revolution his ſentiments and thoſe of Mr. Burke were far as the poles aſunder, deſcribing it in the glowing language of eloquence, as "the moſt ſtupendous and glorious edifice of liberty which had been erected on the foundation of human integrity in any time or country"—Mr. Burke is willing to believe, that "he did not mean to make the conſtruction of the new fabric the object of his panegyric, but the deſtruction of the old."—"He did not mean," Mr. Burke tells us, p. 17, "to applaud that monſtrous thing, which by the courteſy of France they call a conſtitution. Far from meriting

ing the praiſes of a great genius like Mr. Fox, it cannot be approved by any man of common ſenſe or common information. He cannot admire the change of one piece of barbariſm for another and a worſe. He cannot rejoice at the deſtruction of a monarchy mitigated by manners, reſpectful to laws and uſages, and attentive to public opinion, in favor of the tyranny of a licentious, ferocious, and ſavage multitude, without laws, manners, or morals, which inſolently endeavors to alter all the principles and opinions which have hitherto guided the world. His mind is made to better things." Formerly, however, Mr. Burke was of opinion, " that in all diſputes between the people and their rulers, the preſumption was in favor of the people. The people," ſays he, " have no intereſt in diſorder. When they do wrong it is their error and not their crime*." And he could quote with high approbation the Duke of Sully, who ſays, " Les Revolutions qui arrivent dans les grandes etats ne ſont point un effet du hazard ni du caprice des peuple.—Ce n'eſt jamais par envie d'attaquer qu'elle ſe ſouleve mais par impatience de ſouffrir." *Now* theſe opinions, it ſeems, are maintained only by thoſe " who are deficient in common ſenſe or common information." Yet

* Thoughts on the Cauſes of the preſent Diſcontents, p. 8.

Mr. Burke gravely declares what no perſon certainly can gravely hear, "that the virtue of conſiſtency is that on which he values himſelf the moſt."

In one of his paroxyſms of rage, Mr. Burke, p. 41, ſtiles the National Aſſembly "a determined and deſperate body of conſpirators, whoſe object it was, with whatever certainty of crimes, with whatever hazard of calamity, to annihilate the royal authority; to level all ranks, orders, and diſtinctions in the ſtate; and utterly to deſtroy property, not more by their acts than in their principles." In the ſame ſpirit he had before affirmed *, "that they never depart one *iota* from the authentic formulas of tyranny and uſurpation; *here* they travel in the beaten road. But the public intereſts, becauſe about them they have no real ſolicitude, they abandon to chance, and wholly to chance; inaſmuch as their ſchemes have nothing in experience to prove their tendency beneficial." In reply to theſe incredible extravagancies, it is ſufficient to obſerve, that in fact there is ſcarcely any thing in the French conſtitution which can be regarded as abſolutely and perfectly novel. The grand *contour*, or outline, is evidently copied from the conſtitution of England, to which, in the ſeparation of the ex-

* Reflections on the French Revolution, p. 244.

ecutive,

ecutive, legiſlative, and judicial powers, that moſt important of all axioms of polity, it bears an intimate reſemblance. Though the conſtitutional authority of the Kings of France is reduced ſomewhat below the level of the authority of the Kings of England, it is ſtill greatly ſuperior to that with which the Kings of Sweden were inveſted previous to the Revolution in that country; and to that which the Kings of Poland at this day poſſeſs. The King of France is the ſole depoſitary of the executive power. He is the ſupreme head of the general adminiſtration of the kingdom. He ſanctions or rejects the acts of the legiſlative body. He is the ſupreme chief of the army and the navy. The external ſafety of the ſtate, and the conſervation of its rights and privileges are confided to him. He diſpoſes at his pleaſure of the great offices of ſtate. He appoints ambaſſadors to foreign courts. He nominates the military and naval commanders, the tribunitial and treſorial commiſſioners. And to maintain the dignity and ſplendor of the crown, he has a civil liſt revenue of 1,250,000l. *per annum*. Is it "ſenſeleſs and barbarous" to affirm, that this mighty aggregate of power, wealth, and dignity, is ſufficient to entruſt into the hands of one man? As to the abolition of the order of nobles, who were in France the privileged oppreſſors and tyrants, and not, as in

England, the hereditary guardians of the people, the free ſtates of Greece knew no ſuch diſtinction; and in the Roman Commonwealth it was productive of infinite miſchief and ceaſeleſs animoſity. The diviſion of the kingdom into diſtricts is certainly not new: for, waving all examples to be adduced from other countries, France itſelf was under the old government divided into provinces much more widely ſeparated from each other, than the new departments by the new conſtitution. And the popular aſſemblies, and elective judicial inſtitutions eſtabliſhed in each, bear a ſtriking analogy to the ancient county-courts in this country, during the exiſtence of that old Saxon conſtitution, to which the Engliſh retained, long after its ſubverſion by the Norman conqueſt, the moſt paſſionate attachment. But admitting that novelties were introduced, muſt it therefore neceſſarily follow, that the public intereſts were abandoned wholly to chance? May not novelties be founded on ſolid and obvious grounds of reaſon, as to afford a ſtrong preſumption at leaſt of advantage? Were the public intereſts of this country abandoned to chance on the firſt introduction of the Habeas Corpus Act, the Act of Toleration, or by eſtabliſhing the freedom of the preſs? Yet all theſe were novelties; and in the opinion of many perſons, who no doubt valued

valued their old prejudices as highly as Mr. Burke, very dangerous novelties too.

Secondly, We are to examine how far the political principles of Mr. Burke, as avowed in his late ſpeeches and tracts, are reconcileable with the principles of thoſe "Old Whigs" who flouriſhed at or near the period of the Revolution. As the moſt unexceptionable criterion of this conformity of ſentiment, Mr. Burke has ſelected a variety of paſſages from the ſpeeches of the Managers of the Houſe of Commons appointed to conduct the trial of Sacheverel; to which no reaſonable objection can be made: "for," as Mr. Burke obſerves, "though themſelves only private individuals, they muſt be ſuppoſed, on that intereſting occaſion, to have ſpoken the prevalent ideas of the leading party in the Houſe of Commons, and of the Whig miniſtry." And Mr. Burke wiſhes the reader to determine, upon an impartial compariſon, whether the principles he has maintained, or thoſe advanced by the New Whigs, are moſt conſonant to thoſe of the Whigs of that period." "Theſe New Whigs," ſays he, hold that the ſovereignty, whether exerciſed by one or many, did not only originate from the people—*a poſition not denied, nor worth denying or aſſenting to*; but that in the people the ſame ſovereignty conſtantly and unalienably reſides; that the people

may

may lawfully depoſe Kings, not only for miſconduct but without any miſconduct at all; that they may ſet up any new faſhion of government for themſelves, or continue without any government, at their pleaſure; that the people are eſſentially their own rule, and their will the meaſure of their conduct; that the tenure of magiſtracy is not a proper ſubject of contract, becauſe magiſtrates have duties, but no rights; and that if a contract, *de facto*, is made with them in one age, allowing that it binds at all, it only binds thoſe who were immediately concerned in it, but does not paſs to poſterity." To enter into a ſerious confutation of this egregious and wilful miſrepreſentation, would be abſurd. Of the ſentiments here aſcribed to the "New Whigs," as Mr. Burke is pleaſed to ſtile them, or the advocates of the French Revolution, one propoſition only is extracted from their creed—viz. THAT THE SOVEREIGNTY NOT ONLY ORIGINATED WITH, BUT CONSTANTLY AND UNALIENABLY RESIDES IN THE PEOPLE. A government being, according to Mr. Burke's own definition, "a contrivance of human wiſdom for the ſupply of human wants," it is plain, that the community, for whoſe benefit and advantage the powers of government are, or ought to be exerciſed, are the ſole judges whether the great ends of government are actually attained.

The

The individuals entruſted with the different powers of government poſſeſſing merely a delegated authority, and an authority delegated for a ſpecific purpoſe, if the purpoſe of the delegation be not anſwered, the delegation or commiſſion is itſelf determinable at the diſcretion of thoſe from whom it originally proceeded. For the community, or people at large, have at all times preciſely the ſame right of providing for their own ſecurity and happineſs—a right impoſſible to relinquiſh. The ſovereignty, therefore, by whatever medium it may be exerciſed, ſtill reſides in the nation; for the ſovereignty, in this general and extenſive acceptation, can mean no more than the ultimate diſcretion and ultimate juriſdiction. Mr. Burke having ſtated the origin of government from the people to be a trifling poſition, "not worth denying or aſſenting to," may find it uſeful to refer to his celebrated tract, ſo repeatedly quoted, where he will meet with the following paſſage: "The King is the repreſentative of the people—ſo are the Lords—ſo are the Judges. They are all truſtees for the people as well as the Commons, becauſe no power is given for the ſake of the holder; the forms of government and the perſons who adminiſter it all ORIGINATE from the PEOPLE.*"

* Thoughts on the Cauſes of the preſent Diſcontents, p. 67.

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This point, therefore, being previouſly and ſatisfactorily cleared up, we haſten to the compariſon which Mr. Burke is ſo eager to challenge. "I aſſert," ſays he, p. 57, "that the foundations, laid down by the Commons on the trial of Dr. Sacheverel for juſtifying the Revolution of 1688, are the very ſame laid down in Mr. Burke's Reflections; that is to ſay, a breach of the *original contract*, implied and expreſſed in the conſtitution of this country as a ſcheme of government, fundamentally and inviolably fixed in King, Lords, and Commons." The firſt ſpeech upon the trial noticed by Mr. Burke is that of Mr. Lechmere, who declares "the nature of our conſtitution to be that of a limited monarchy. The terms of ſuch a conſtitution," he juſtly affirms, "do not only ſuppoſe but expreſs an *original contract* between the crown and the people. The laws are the rule to both; the common meaſure of the power of the crown and the obedience of the ſubject. If the executive part endeavors the ſubverſion and total deſtruction of government, the original contract is thereby broke and the right of allegiance ceaſes." It is plain that Mr. Lechmere here ſuppoſes the conſtitution of England to be a free form of government eſtabliſhed by general conſent. It neceſſarily involves in it, therefore, *ab initio*, limitations and conditions. Theſe he expreſſes by the term *original*

ginal contract. And he infers that when this original contract is violated on the part of the executive power, the violation may be reſiſted, the neceſſity of the caſe requiring it on the part of the nation; who, as he afterwards ſays, "hath a right, nay, whoſe bounden duty it is to ſave or recover that conſtitution in which it had an original intereſt." Certainly more good ſenſe and ſound reaſoning cannot be comprized within the ſame compaſs. Every one, I believe, has a clear and diſtinct idea of the meaning of the term *original contract*, as uſed by this able ſpeaker. But if Mr. Lechmere had ſet out like Mr. Burke, by defining, in high-ſwelling words of vanity, the original contract, to be "but a clauſe in the great primæval contract of eternal ſociety, linking the lower with the higher natures, connecting the viſible and inviſible world, according to a fixed compact, ſanctioned by the inviolable oath which holds all phyſical and moral natures, each in their appointed place;" I apprehend that the Old Whigs would have been juſt as much puzzled to underſtand what he meant as the New Whigs their degenerate deſcendants.

Amongſt the moſt diſtinguiſhed of the Managers on this celebrated trial, was General Stanhope. He alſo enforced the ſame opinions as Mr. Lechmere. "The Conſtitution of England," ſaid the General, "is founded upon compact; and

and the ſubjects of this kingdom have, in their ſeveral public and private capacities, as legal a title to what are their rights by law, as a prince to the poſſeſſion of his crown. No other remedy than the Revolution was left to preſerve our religion and liberties; that reſiſtance was therefore neceſſary and conſequently juſt."

Sir Robert Walpole, upon whom Mr. Burke paſſes an high encomium, and who, whatever faults may be imputed to his adminiſtration, was certainly by no means the corrupt and profligate miniſter he has been frequently repreſented, followed General Stanhope. "Reſiſtance," ſaid this great ſtateſman, "is not, cannot, and ought not to be deſcribed or affirmed by any poſitive law. In the eye and letter of the law, it ſtands, and ought for ever to ſtand, as the higheſt offence. But becauſe men may not out of folly or wantonneſs commit treaſon, or make their own diſcontents, ill principles, or diſguiſed affections to another intereſt, a pretence to reſiſt the ſupreme power; will it from thence follow, when an utter ſubverſion of the laws of the realm threatens the whole frame of our conſtitution, that the utmoſt neceſſity ought not to engage a nation in its own defence for the preſervation of the whole?"

Sir Joſeph Jekyl, Mr. Burke tells us, was "the very ſtandard of Whig principles in his age." And he characterizes him certainly with juſtice,

juſtice, as a learned and able man, full of honor, integrity, and public ſpirit." "In clearing up and vindicating the juſtice of the Revolution," ſaid this Manager, "it is far from the intent of the Commons to ſtate the limits and bounds of the ſubjects' ſubmiſſion to the ſovereign. That which the law hath been wiſely ſilent in, the Commons deſire to be ſilent in too. Nor will they *put any caſe* of a juſtifiable reſiſtance, but that of the Revolution only. And they perſuade themſelves that the doing right to that reſiſtance will be ſo far from promoting popular licence and confuſion, that it will have a contrary effect, &c." Theſe remarks appear highly judicious. As it was not the cuſtom of thoſe times to carry on impeachments from ſeſſion to ſeſſion and Parliament to Parliament, Sir Joſeph, who had no paſſion for ſhining as an orator, in order to preclude all uſeleſs and unprofitable debate, chuſes to confine himſelf ſtrictly to the queſtion before him. Without pretending to define the exact bounds and limits of ſubmiſſion, which would be an idle and impracticable attempt, he thinks it ſufficient to affirm in general terms the right of reſiſtance; and to ſhew that the Revolution was a caſe which juſtified and demanded the exerciſe of that right. "It was a caſe of extreme neceſſity; and the neceſſity was plain and obvious to the ſenſe of the whole nation." It was therefore totally

totally irrelevant and ſuperfluous to put any other caſe real or fictitious, which might have led to new and endleſs controverſy; though the language of this Manager ſtrongly implied, as he no doubt clearly perceived, that other caſes might be put which would juſtify reſiſtance to eſtabliſhed authority, though theſe poſſible caſes might not preciſely correſpond in all circumſtances with the caſe immediately under diſcuſſion. The Revolution in France is an inſtance exactly in point. The conſtitution of France previous to the Revolution was not like that of England, a free form of government, eſtabliſhed and ſanctioned by the concurrent attachment and veneration of the people. It was a flaviſh and tyrannical ſyſtem: the object of the national contempt and deteſtation. The limitations and conditions to which the authority of the crown was ſubjected were few and inconſiderable, and wholly unequal to reſtrain the exceſſes of power. Whenever a fair opportunity offered, therefore, the nation was perfectly juſtified, upon every principle of rectitude and policy, in the attempt to vindicate its own inherent rights, and to provide, by the eſtabliſhment of another and a better conſtitution, for the enlargement and ſecurity of the public happineſs. And it is the moſt egregious trifling to object, as Mr. Burke repeatedly does, that the King of France had not, like the

King of England, violated the *original contract*, and therefore that his authority could not be juſtly oppoſed or ſuperſeded. For in this caſe, it is the original contract itſelf, if it deſerves the name, which is the ſubject of complaint, as being radically and incorrigibly vicious and ſubverſive of the general welfare and happineſs. To affirm with Mr. Burke, that the contract or form of government once eſtabliſhed, be the terms of it what they may, ought to be inviolably adhered to, as well on the part of the people as of the magiſtrate, argues groſs ignorance of the nature of government. For the contract ſubſiſting between the magiſtrate and the people, differs in this moſt eſſential reſpect from all contracts or engagements ſubſiſting between independent individuals or independent communities; that it was originally created and intended for the ſole benefit and advantage of one of the parties, viz. the people. But the term *contract*, uſed by the Revolution Whigs to expreſs reciprocality of obligation, and ſanctioned as it were by their authority, excites in the mind of Mr. Burke all the groſs ideas annexed to a mere Smithfield contract, *a bargain and ſale of cattle*. Yet he once held the doctrine, that "power was never conferred by any people for the ſake of the holder," and government is founded, not on complaiſance to any but utility to all. If experience, therefore,

proves that the contract originally eſtabliſhed is not conducive to the end *for* which it was eſtabliſhed, it is in its own nature null and void. For to ſuppoſe a whole people bound by the terms of a contract to their own manifeſt detriment, is to ſuppoſe the magiſtrate not the repreſentative or delegate of the people, entruſted with power for no other purpoſe, and to no farther extent than the general good requires; but the tyrant of the people, poſſeſſing indefeaſible rights and prerogatives not founded upon utility, and in the exerciſe of which he can incur no reſponſibility.

The Revolution of France, therefore, is equally capable of vindication with that of England, for both reſt upon the ſame general foundation—the rights of the people; both have in view the ſame object—the happineſs of the people. In this important reſpect they differ, that with them this object was attainable only by a total ſubverſion, with us by a reſolute defence of the antient conſtitution. "As the people of England," ſays Sir Joſeph Jekyl, "joined in the judgment of their diſeaſe, ſo they did in the remedy. They ſaw there was no remedy left but the laſt; and, when that remedy took place, the whole frame of the government was reſtored entire and unhurt. No part of the conſtitution was altered or ſuffered the leaſt damage; but, on the contrary, the whole received new life and vigour."

gour." Here Mr. Burke tranſcribes ſome paſſages to the ſame purport from his ſpeech in Parliament, February, 1790, and then triumphing boaſts how *exactly* he agrees in *every thing* with Sir Joſeph Jekyl. And it muſt be allowed, to adopt the language of PUFF in the CRITIC, that when ſuch men as Sir Joſeph Jekyl and Mr. Burke "do agree, their unanimity is wonderful."

The Solicitor General, Sir Robert Eyre, obſerves "that the reſiſtance at the Revolution, which was founded on unavoidable neceſſity, could be no defence for aſſerting that the people might cancel their allegiance *at pleaſure*. There is not the leaſt colour for aſſerting any ſuch wicked principle. The Doctor is not impeached for enforcing the general doctrine and duty of obedience without any exception, but for preaching againſt an excepted caſe after he has ſtated the exception. Is it not moſt evident that the general exhortations and declarations to be met with in the homilies of the church, and in the ſtatutes of the kingdom, are meant only as rules for the civil obedience of the ſubject to the legal adminiſtration of the ſupreme power in ordinary caſes? And it is equally abſurd to conſtrue any words, in a poſitive law, to authorize the deſtruction of the whole, as to expect that King, Lords, and Commons ſhould, in expreſs terms of law, declare ſuch an ultimate reſort as the right of re-

ſiſtance at a time when the caſe ſuppoſes that the force of the law is ceaſed." Nothing, certainly, can be more judiciouſly expreſſed; and it deſerves remark, that the very doctrine maliciouſly imputed by Sacheverel to the advocates of the Revolution in England, and from which the Solicitor General was ſo laudably anxious to vindicate them; the *wicked principle*, as he juſtly ſtiles it, that the people may cancel their allegiance *at pleaſure*, is the very ſtigma which Mr. Burke, in imitation of that ſon of ſlander and ſedition, is ſolicitous to fix upon the advocates of the Revolution in France. But they univerſally diſclaim and abhor the imputation. Obedience to civil authority is, moſt undoubtedly, a duty of the higheſt magnitude and importance. Without any particular reference to excepted caſes it may be juſtly affirmed, that not only the peace and happineſs but the very exiſtence of ſociety depends upon it. For a community to reſume the powers it has once delegated, from mere will and caprice, would argue a ſpecies of infatuation more deplorable than hiſtory exhibits an example of. And for any individuals to preſume to reſiſt the lawful authority of the magiſtrate becauſe *ſuch is their pleaſure*, would be treaſon and rebellion in their moſt odious and aggravated form. Certainly nothing leſs than motives of the higheſt urgency and importance; motives ſo obvious

obvious as to approve themſelves to the general underſtanding, and ſo comprehenſive as to affect the foundations of the general happineſs, can be ſufficient to juſtify reſiſtance to ſupreme authority.

To this purpoſe Sir John Holland ſays, "the Commons would not be underſtood as if they were pleading for licentious reſiſtance; as if ſubjects were left to their good will and pleaſure, when they are to obey and when to reſiſt.—No, my Lords: they know they are obliged to ſubmiſſion by all the ties of ſocial creatures and Chriſtians. Yet they aſſert that the general rule of obedience may, upon a real neceſſity, admit a lawful exception; and ſuch a neceſſary exception we aſſert the Revolution to be." Theſe are the doctrines held by the Whigs of the Revolution, in vindication of the Revolution: ſubſequent to which great event, ſuch proviſions were made for preventing the recurrence of a ſimilar neceſſity, that to uſe the words of Mr. Burke, "ſcarcely any thing ſhort of a combination of King, Lords, and Commons, for the deſtruction of the liberties of the nation, can in any probability make us liable to ſimilar perils. In that dreadful and not to be looked for caſe, any opinion, ſays Mr Burke, "of a right to make revolutions ... ed on this precedent, would ... ſource." But I muſt be ...

the univerſal prevalence of an opinion *to make revolutions*, in ſuch caſes, will be the moſt effectual ſecurity againſt ſuch combinations; and that it will be found upon trial, not *a poor reſource*, as Mr. Burke ſtiles it, but a certain and infallible means of reſcuing the nation from the tyrannic graſp of oppreſſion, in whatever new forms it may rear its hydra head.

Upon a review of the ſentiments of theſe Old Whigs, Mr. Burke profeſſes the moſt perfect accordance with them; with what juſtice and propriety is ſufficiently apparent. Mr. Burke aſſerts that the ſovereignty, *i. e.* the ultimate appeal, diſcretion, or juriſdiction, does not reſide in the people or nation. But Sir Robert Walpole is of opinion, that a nation, for its own defence and the preſervation of the whole, may reſiſt the power regarded by the law as ſupreme, however incompatible that reſiſtance with the moſt ſolemn declarations. Mr. Burke aſſerts the original contract to be the bond of connection between the viſible and inviſible world. But Mr. Lechmere tells us, it is the reciprocality of obligation ariſing from the relative ſituation of the governors and the governed, under a free and regular conſtitution, or plan of civil polity. Mr. Burke aſſerts with Sacheverel. that the abſtract doctrine of the lawfulneſs of reſiſtance implies, that the people have a right to cancel their allegiance at pleaſure.

pleaſure. Sir Robert Eyre, on the contrary, maintains that this doctrine affords no color for aſſerting any ſuch wicked principle; and that thoſe who draw ſuch inferences can have no other meaning than to bring diſhonor upon the Revolution. Mr. Burke aſſerts that a violation of the original contract, or eſtabliſhed form of government on the part of the magiſtrate, is the only poſſible caſe of juſtifiable departure from ſubmiſſion. But Sir Joſeph Jekyl much more wiſely contents himſelf with ſaying, that the Commons will not *put any caſe* of juſtifiable reſiſtance, but that of the Revolution: and that it is far from their intent to ſtate the bounds and limits of the ſubjects' ſubmiſſion to the ſovereign.

But in his great zeal to maintain the ſinking credit of revolution principles faſt and deep, in which, as of indigenous growth, the tree of liberty ſtriking its roots, riſes fair and majeſtic to the view; Mr. Burke is eager to demonſtrate "the madneſs, futility, and falſehood of thoſe principles of government which the French nation has ſelected, in order to form the baſis of their new conſtitution. In oppoſition to the pretended rights of man, as lately recognized and declared by the National Aſſembly, Mr. Burke feels the higheſt reſentment at not being *permitted* to ſhew the original INEQUALITY of men with reſpect to their natural rights. Had

the Houſe of Commons poſſeſſed patience to hear, he would have ſhewn that the preſervation of thoſe rights is not the proper end of civil or political aſſociation. He would have ſhewn that the nation is not eſſentially the ſource of ſovereignty. He would have ſhewn, that to make political liberty conſiſt in the power of doing whatever does not injure another, is "a childiſh, and ſtupid, and miſchievous idea of liberty." He would have ſhewn that the law ought to prohibit, not only thoſe actions which are hurtful, but thoſe alſo which are not hurtful to ſociety. He would have ſhewn that the law neither is nor ought to be an expreſſion of the will of the community. He would have ſhewn that citizens, equal in the eye of the law, neither are nor ought to be equally eligible to honors, places, and employments, according to their different abilities, talents, and virtues. He would have ſhewn that it is right and fit that men ſhould be moleſted on account of their opinions, though their avowal of them ſhould not diſturb the public order eſtabliſhed by law. He would have ſhewn that the community has no right to demand of its agents an account of their conduct: and finally, he would have ſhewn that thoſe countries whoſe government wants a ſeparation of powers, and a ſecurity of rights, do not want a conſtitution. Such are the reverſe of the propoſitions,

poſitions, affirmed in the Gallic declaration of rights: and ſuch the monſtrous poſitions which Mr. Burke muſt of courſe undertake to defend.

But it may not be wholly uſeleſs to enter into a more particular examination of the arguments of Mr. Burke in vindication of his principles; and to exhibit ſome impartial ſpecimens of the mode of reaſoning which he adopts in order to expoſe and confute his antagoniſts. "Men with them,"* ſays Mr. Burke, *i. e.* with the National Aſſembly of France, "are ſtrictly equal, and entitled to equal rights" This we have long been taught, by Mr. Locke and others in this country, to conſider as a ſimple, juſt, and noble principle, lying at the very foundation of all juſt reaſonings on the ſubject of government. For who can pretend to aſſign any poſſible cauſe for a natural inequality of rights between man and man? Civil diſtinctions, therefore, as the National Aſſembly have to their immortal honor declared, can be founded only on public utility. Mr. Burke, however, pretends "that it is incompatible with the declaration promulgated by the Aſſembly, to limit the exerciſe of any civil or political right by the impoſition of teſts or qualifications of any kind: and that the reſtriction of the right of election, by the payment of

* Reflections on the French Revolution, p. 244.

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a direct tax to the amount of ten days labor, or in the perſon of the repreſentative, of a mark of ſilver, are palpable violations of their own equalizing principle. Of all theſe qualifying barriers," ſays he, "we muſt think alike, that they are impotent to ſecure independence, ſtrong only to deſtroy the rights of men." If indeed theſe limitations or reſtrictions are founded upon no principle of utility, but are merely whimſical, capricious, and arbitrary; if they really are, as he ſtiles them, "ſenſeleſs qualifications," Mr. Burke's concluſion muſt be acknowledged ſo far valid. But I preſume the National Aſſembly may poſſibly have as good reaſons to aſſign for the limitation of the right of the provincial electors in France, as the Engliſh Parliament for a ſimilar limitation of the right of county electors in England. And few perſons regard the legal qualification of forty ſhillings per annum freehold, as "a ſenſeleſs limitation."

"Government," as Mr. Burke informs us, (Reflections, p. 88,) "is not made in virtue of natural rights, which may and do exiſt in total independence of it, and exiſt in much greater clearneſs, and in a much greater degree of abſtract perfection; but their abſtract perfection is their practical defect. Varying with times and circumſtances, and admitting of infinite modifications, they cannot be ſettled upon any abſtract rule;

rule; and nothing is ſo *fooliſh* as to diſcuſs them upon that principle." On the contrary, it appears to me that nothing can be ſo *fooliſh* as to pretend to diſcuſs the ſubject of government, or indeed any ſubject whatever, without expreſsly ſtating, or pre-ſuppoſing certain abſtract principles or theorems, to which references may be made, and from which inferences may be deduced. For want of this clear conception of the firſt principles of government, Mr. Burke's reaſonings on the ſubject are almoſt every where confuſed, inconſequential, and inconſiſtent. There are, doubtleſs, rights reſulting from the reaſon and nature of things, independent of any artificial or poſitive inſtitution; "for the ſecurity of which," to make uſe of the words of Mr. Hume, "political ſociety was at firſt founded by men—rights perpetual and unalienable, which no time, no precedent, no ſtatute, can either abrogate or impair.' If, then, government be not made in virtue of theſe rights, in virtue of what rights is it made? That they exiſt in independence of it is certain; but they cannot be protected and ſecured in independence of it: and ſurely the abſtract clearneſs and perfection of theſe rights are not diminiſhed by any means which may be adopted to ſecure the uninterrupted and peaceable exercise of them. And that the abſtract perfection of theſe rights in a

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ſtate of nature is their practical defect, is merely, I preſume, aſſerted for the ſake of the beautiful antitheſis it affords; for moſt unqueſtionably it cannot be the perfection of the right, but the imperfection of the knowledge of the right, or of the virtue to adhere to it, which is the cauſe of the practical defect.

"Theſe metaphyſic rights," continues Mr. Burke, "entering into common life like rays of light which pierce into a denſe medium, are, by the laws of nature, refracted from their ſtrait line. Indeed, in the groſs and complicated maſs of human paſſions and concerns, the primitive rights of men undergo ſuch a variety of refractions and reflections, that it becomes abſurd to talk of them as if they continued in the ſimplicity of their original direction." Doubtleſs, there exiſt no general rules of government, or of action, which do not admit of reſtrictions or limitations in the practical application of them. For as the rules themſelves are founded on the baſis of utility, it is evident that occaſional exceptions or deviations from the general rule may reſult from the reaſon of the rule itſelf. But Mr. Burke ſeems to imagine that the National Aſſembly, and the *enlightened* advocates for liberty in general, maintain the exiſtence of certain inexplicable and unalterable abſtract rights, independent of reaſon, and not founded upon the

the baſis of utility; which is an idle chimæra, the offspring of his own heat-oppreſſed brain. "Theſe grand compounders in politics," ſays Mr. Burke, "ſhorten the road to their degrees in the ſtate, and have a certain inward fanatical aſſurance and illumination upon all ſubjects; upon the credit of which one of them has thought fit, with great applauſe, and greater ſucceſs, to caution the Aſſembly not to attend to old men, or to any perſons who valued themſelves upon their experience." *Hinc illæ lachrymæ!* I fear if this caution was originally received with applauſe, it will not loſe any of its credit by the publication of Mr. Burke's Reflections; which may even, perhaps, confirm them in the opinion, that in the ſame proportion as age adds to the wiſdom of the wiſe, it heightens the obſtinacy of the obſtinate, and the prejudices of the prejudiced.

"It is curious to obſerve," ſays Mr. Burke, (Reflections, p. 24,) "how Lord Somers, who drew the Bill called the Declaration of Right, comported himſelf upon that delicate occaſion, and with what addreſs this temporary ſolution of continuity is kept from the eye; whilſt all that could be found to countenance the idea of an hereditary ſucceſſion is brought forward, and made the moſt of by this great man." But Lord Somers himſelf would probably have ſmiled at being

being ſo highly complimented on his extraordinary addreſs in this inſtance, when he did little or nothing more than copy in the preamble of this celebrated Bill the forms of the old acts of recognition of Elizabeth and James. It is very eaſily conceivable, indeed, that Lord Somers, than whom no man ever poſſeſſed clearer or nobler ideas on the ſubject of government, might think it expedient to accommodate his own more juſt and dignified ſentiments, in ſome meaſure, to the inveterate prejudices of thoſe whoſe perverſe or ſhallow underſtandings were delighted with the paradoxical notion, entertained, as we find, even at this day by Mr. Burke, "That at no time did the legiſlature hold the principle of hereditary right more ſacred than at the moment when they moſt widely deviated from it." Startled and ſhocked at the idea of conferring the crown upon the Prince of Orange, not becauſe of his affinity in blood to the tyrant, but becauſe he was the deliverer of the nation from tyranny, they endeavored to ſoothe and conſole themſelves with the reflection, "that though the crown was carried ſomewhat out of the line in which it had before moved, the new line was derived from the ſame ſtock; it was ſtill a line of hereditary deſcent—ſtill an hereditary deſcent in the ſame blood, though qualified with Proteſtantiſm:" thus happily arriving, by the ſame gra-

gradations with Mr. Burke, to the ſame notable concluſion, "that when the legiſlature altered the direction of the ſucceſſion, *i. e.* when the legiſlature for juſt reaſons violated the principle of hereditary ſucceſſion, they ſhewed that they held it inviolable."

"It is far from being impoſſible, however, to reconcile," as we are aſſured by Mr. Burke, if we do not ſuffer ourſelves to be entangled in the mazes of metaphyſic ſophiſtry, "the ſacredneſs of an hereditary principle of ſucceſſion in our government, with a power of change in its application in caſes of extreme emergency." Amongſt other bewildered mortals, I have always imagined that a principle, which is in its own nature ſacred, is in its own nature irrevocable and unalterable. If hereditary right be truly a ſacred right, it is an indefeaſible and divine right. If by the ſacredneſs of this principle, he means only to denote by a flouriſh of oratory its civil or political utility, it is indeed very eaſy to reconcile the uſe of an eſtabliſhed or general rule, emanating from the common agreement and original compact of the ſtate, "*communi ſponſione reipublicæ*," with occaſional deviations from that rule, reſulting from the ſame ſource of authority. But what more has ever been contended for by thoſe who are branded by Mr. Burke as broachers of ſeditious, factious, and unconſtitutional doctrines? That the

the crown of England is held by hereditary right is admitted by all: but reſpecting the nature and origin of this right, men have widely differed. Many have had the folly to maintain, in times not far remote, with aſtoniſhing vehemence and obſtinacy, that it is a divine and indefeaſible right. Now, indeed, the language of the high prerogative party is ſomewhat changed, and we are told that it is only a ſacred and inviolable right; a diſtinction in which a man muſt certainly be uncommonly acute to find any difference. Others, however, aſſert that this right is a mere political right, created and conferred by the community, and founded, like all other political rights, on the baſis of public utility; that the community muſt of conſequence neceſſarily poſſeſs the power of limiting, circumſcribing, and even of annihilating this right, if incompatible with or detrimental to the public happineſs. It is the plain dictate therefore of reaſon and truth, that upon no other juſt or lawful foundation can the authority of the monarch reſt, than the choice or conſent of the people implied or expreſſed. Yet this concluſion is ſtill admitted with heſitation and difficulty. So true is it, that the improvement of the human mind is in general the ſloweſt of all proceſſes; and ſo neceſſary is it, that the plaineſt and moſt obvious truths ſhould be inculcated in a thouſand different forms, and by

a thouſand different pens, in order to make a deep or durable impreſſion upon the public mind; ever liable to be deceived to its own injury, by the deluſive colorings of a bold, artful, or intereſted ſophiſtry, however intrinſically weak or deſpicable.

But when Mr. Burke hears this terrible doctrine advanced, of the right of the people to chooſe their own governors, his imagination is haunted by the ideas aſſociated with the election of a Mayor of Garrat, or the diſſolute riots of a corporation borough. He might, nevertheleſs, recollect that there are other and more dignified modes of collecting the ſenſe of a great nation, and of aſcertaining and declaring, with ſolemnity correſpondent to the occaſion, "the public will, the REASON of the LAND." The Act of Settlement was doubtleſs an act of national choice, if there is any meaning in words; but ſuch is the antipathy of Mr. Burke to this harmleſs term, that he will by no means allow the Princeſs Sophia and her deſcendants to have been *choſen* to ſucceed to the crown; but only "that the Engliſh nation voluntarily ſubmitted themſelves to their government;"—"that they gave the Houſe of Hanover the preference to the Houſe of Savoy"—"that they were ſpecifically deſtined to the ſucceſſion"—and "that they were adopted by the nation, as neareſt in blood of the Proteſ-

tant line. Was it by ſuch miſerable quibbling as this that the Old Whigs deemed the principles of the Revolution to be moſt effectually fortified? "On what ground," ſays Mr. Burke, "except the conſtitutional policy of forming an Eſtabliſhment to ſecure that kind of ſucceſſion, which is to preclude a choice of the people for ever, could the legiſlature have faſtidiouſly rejected the fair and abundant choice which our own country preſented to them, and ſearched in ſtrange lands for a foreign princeſs, from whoſe womb the line of our future rulers were to derive their title to govern millions of men through a ſeries of ages?"—that is to ſay, on what grounds could the legiſlature, or the people, in their deliberative capacity, make choice of the Princeſs Sophia and her deſcendants in ſucceſſion to govern this nation, if it were not to extinguiſh the right which they themſelves were exerciſing, and to preclude the idea of choice for ever afterwards? To affirm that his Majeſty's right and title to the crown are founded upon the free choice of a free people is now, it ſeems, become not merely unfaſhionable and obſolete, but falſe and ſeditious language. Conſequently a parliamentary vote of depoſition and abdication, grounded upon the precedent of the laſt century, would not, in theſe courtly days, in the leaſt impair the validity of a title ſolely derived from the womb

womb of the Princeſs Sophia, by a ſpecies of *immaculate conception*, which might have ſtaggered the faith of a St. Dominic himſelf. It is pleaſant enough after this to hear Mr. Burke proteſt, "that he never deſires to be thought a better Whig than my Lord Somers." "A few years ago he ſhould be aſhamed, in a caſe ſo clear, to have made uſe of ſuch arguments as he has now thought it neceſſary to advance for the ſupport of the Conſtitution." I hope and believe that this is true; though Mr. Burke's eloquence was ever, by perſons of judgment, conſidered as of a ſpecies far better calculated to puzzle a plain queſtion, than to elucidate a difficult one.

Mr. Burke charges it (Reflections, p. 84.) as a neceſſary conſequence of the principles advanced by Dr. Price, and other zealous advocates of civil liberty, "that our own government, on account of the groſs and palpable defects of the preſent ſyſtem of repreſentation, is no better than an uſurpation; and he obſerves that the Houſe of Lords is no repreſentative of the people at all, even in ſemblance and form; the caſe of the crown is altogether as bad; and the Revolution which is reſorted to for a title, on this ſyſtem wants a title itſelf; as it was effected by an Houſe of Lords, not repreſenting any one but themſelves, and by an Houſe of Commons exactly ſuch as the preſent, that is, as

they term it, a mere ſhadow and mockery of repreſentation." The caſe of the crown has already been conſidered; and that of the Houſe of Lords being perfectly analogous to it, requires no ſeparate animadverſion. The nation, which can endow an individual with certain powers and prerogatives for the public good, can alſo inveſt with whatever degree of authority perſonal or hereditary they think fit, any number of individuals under the denomination of a Houſe of Peers, a Senate, a Privy Council, &c. Nor had the ariſtocratic branch of the legiſlature at any period the folly to advance for themſelves the claim which Mr. Burke has ſo officiouſly advanced for them, of an inherent and indefeaſible right. And it is a perfectly new diſcovery, that the concurrence of this great hereditary council in the ſettlement of the kingdom at the Revolution; a concurrence on all accounts ſo highly deſirable, if not abſolutely eſſential, is upon *any* principles of government a defect in foundation, and "the means of its wanting a title."

With regard to the defects or inequalities of the preſent ſyſtem of repreſentation, the grand queſtion to be conſidered is, Whether the nation is itſelf ſatisfied with this ſyſtem, and the general effect produced by it? For if it be, the validity of the delegation, and the authority of the government founded upon it, cannot be diſputed.

puted. A more complete repreſentation is not to be forced upon the people by the ſtrong hand of power, but granted to their ſolicitations in conformity to the dictates of wiſdom and juſtice. Dr. Price, indeed, ſuppoſes a ſtate in which a nominal or fictitious repreſentation might become "a real nuiſance, and which might eventually produce that worſt of all forms of government, a government by corruption, carried on and ſupported by ſpreading venality and profligacy throughout the kingdom." But he expreſsly adds, in order to guard againſt malignant miſrepreſentation, againſt which it is indeed impoſſible to guard, "that we are, as he hopes, at preſent at a great diſtance from this deplorable ſtate," though, as he truly ſays, "it cannot be pretended that there are no advances towards it, or that there is no reaſon for apprehenſion and alarm." A reform in the repreſentation, therefore, muſt be acknowledged an event worthy the higheſt exertions of wiſdom and patriotiſm to accompliſh; though every one will doubtleſs reject, with indignant contempt, Mr. Burke's extravagant and ſenſeleſs concluſion, "that the preſent government is no better than a downright uſurpation."

On a review of this inveſtigation, it is extremely amuſing to hear Mr. Burke declare, "that he has read much more than he can juſtify to any

thing but the ſpirit of curioſity of the works of thoſe writers, who n, in a tone of lofty diſdain, he ſtiles "the illuminators of the world," and that he has learned nothing from the far greater part of them, than a full certainty of their ſhallowneſs, levity, pride, petulance, preſumption, and ignorance. And all this, without being led to entertain, as far as appears, the remoteſt ſuſpicion that he himſelf is ſubject to the ſlighteſt alloy of human weakneſs and infirmity. "We muſt always ſee with a pity not unmixed with reſpect," to retort upon Mr. Burke his own language, "the errors of thoſe who are timid and doubtful of themſelves, with regard to points wherein the happineſs of mankind is concerned; but when, inſtead of diffidence and candor, we meet only with vain-boaſting, conceit, and confidence, the arrogance of theſe pretenders to ſuperior wiſdom, in a manner provokes and challenges us to an enquiry into the validity of their pretenſions." In the cloudy and myſtical writings of this political rhapſodiſt, I confeſs myſelf unable to diſcover any diſplay of a comprehenſive or diſcriminating mind, or even the marks of a common and ordinary prudence. Mighty in promiſe, but impotent in performance; calculated only to miſlead the ignorant, and alarm the credulous. And the dazzling ſcintillations and coruſcations

of

of his ſtile may be compared to thoſe of an igneous meteor of that ſpecies, which, as MILTON tells us,

> ——— by ſome evil ſpirit kindled,
> Hovering and blazing with deluſive light,
> Miſleads the amazed night-wanderer from his way
> Through bogs and mires *.

It remains only to add a few miſcellaneous remarks on certain paſſages in the concluding part of Mr. Burke's appeal, which ſeem to riſe in a ſort of *alto relievo* above the level of the reſt. "Some gentlemen," ſays he, p. 99, "are not terrified with the facility with which government has been overturned in France. The people of France, they ſay, had nothing to loſe in the deſtruction of a bad conſtitution: but though not the beſt poſſible, we have ſtill a good ſtake in ours which will hinder us from deſperate riſques. Is this any ſecurity at all againſt thoſe who ſeem to perſuade themſelves, and who labour to perſuade

* "Eſt in quibuſdam," ſays Quintilian, lib. vii. c. 2. "turba inanium verborum, qui dum communem loquendi morem reformidant, ducti ſpecie nitoris, circumeunt omnia copiosâ loquacitate quæ dicere volunt."——"Nobis prima ſit virtus, perſpicuitas, propria verba, rectus ordo, non in longum dilata concluſio; nihil neque deſit, neque ſuperfluat."——"Oratio debet negligenter quoque audientibus eſſe aperta; ut in animum audientis ſicut ſol in oculos, etiamſi in eum non intendatur occurrat. Quare, non ſolum ut intelligere poſſit, ſed ne omnino poſſit, non intelligere curandum."

others, that our conſtitution is an uſurpation in its origin, unwiſe in its contrivance, and in all its parts a perfect nuiſance. On the principles of theſe gentlemen, it neither has nor ought to have any ſecurity. So far as regards them it is left naked without friends, partizans, aſſertors, or protectors." But where are thoſe perſons to be found who maintain that our conſtitution is an uſurpation in its origin, and in all its parts a perfect nuiſance. I believe they exiſt only in Mr. Burke's imagination. Under a free conſtitution of government ſuch as we enjoy, a perpetual contention will ſubſiſt between two claſſes of men, whoſe modes of thinking are diametrically oppoſed to each other. The ONE entertain the greateſt dread and terror of innovation as ſuch; not conſidering that all improvement is neceſſarily innovation. They love to dwell on the wiſdom of paſt ages. They regard it as preſumption, and almoſt impiety, to deviate from the practice of antiquity. No argument will induce them to change the old *mumpſimus* for the new *ſumpſimus*. Being men of "untaught feelings," they value old prejudices "becauſe they are prejudices;" and they reprobate every attempt to expoſe an actually exiſting or apprehended defect in the conſtitution or adminiſtration of government, as a ſpecies of ſedition dangerous to the peace, and even to the exiſtence of civil ſociety.

ſociety. The OTHER claſs, ſenſible of the miſchief and abſurdity of theſe notions, are themſelves in danger of running into an extreme directly the reverſe. Far from feeling any dread of innovation as ſuch, they ſeem to entertain a degree of predilection and fondneſs for political experiments. From a conſtant and vigilant attention to thoſe abuſes, and corruptions, and grievances, which under the beſt conſtituted form of government, it is to be feared, will never be totally eradicated, they are led to conſider them as of more importance in the general ſyſtem than they really are. They view them through the political teleſcope, artificially magnified and in near approach; while, through the ſame teleſcope, reverſed, they view the benefits and advantages which they actually poſſeſs, in the ſame proportion diminiſhed and remote. They are, therefore, eager to recommend expedients which appear to them neceſſary in order to avert impending dangers. They are bold and precipitate in their cenſures. They make not ſufficient allowance for the embarraſſments by which the beſt and ableſt ſtateſmen find their attempts at reformation impeded. They are influenced more by notions of abſtract rectitude than political expediency; and anxiouſly and importunately urge the adoption of meaſures, perhaps juſt and beneficial in themſelves, but to which the ſpirit and temper

temper of the times are adverſe, and which the minds of men and the general ſtate of things are not ſufficiently prepared for the reception of.

From the perpetual colliſion of theſe two claſſes of men the community at large may derive much uſeful information and improvement: and had the wiſdom of Mr. Burke borne any proportion to his eloquence, his book might have been of admirable uſe in guarding againſt the exceſſes which might be apprehended from the occaſional prevalence of the ſpirit of the latter of theſe political *caſtes*; as the numerous publications of other writers diſtinguiſhed for genius and ability have been of ſingular ſervice in expoſing the pernicious abſurdity of the former. But Mr. Burke ſeems wholly incapable of diſcrimination. Not adverting to the nature of our conſtitution, which, conſcious of the ſolid foundation on which it reſts, admits and indulges the moſt unreſtrained liberty of diſcuſſion, and which is in reality no more affected by any intemperate ebullitions of ignorance or enthuſiaſm than a rock againſt which the waves perpetually daſh, Mr. Burke can read in the ſigns of the times nothing but the characters of treaſon and rebellion: when thoſe who are not under the influence of the ſame calenture of the brain, can diſcern no more at the worſt than that degree of licentiouſneſs which is almoſt

neceſſarily

neceſſarily attached to the enjoyment of political freedom.

"Let us examine," continues Mr. Burke, "into the value of this ſecurity upon the principles of thoſe who are more ſober; of thoſe who think indeed the French conſtitution better or at leaſt as good as the Britiſh, without going to all the lengths of the warmer politicians in reprobating their own. Their ſecurity in reality amounts to nothing more than this, that the difference between their republican ſyſtem and the Britiſh limited monarchy is not worth a civil war. They who think ſo well of the French conſtitution cannot be ſeriouſly alarmed by any progreſs made by its partizans. Proviſions for ſecurity are not to be received from thoſe who think that there is no danger.—No! There is no *plan of ſecurity* to be liſtened to but from thoſe who entertain the ſame fears with ourſelves: from thoſe who think that the thing to be ſecured is a great bleſſing; and the thing againſt which we would ſecure it a great miſchief. Every perſon of a different opinion muſt be careleſs about ſecurity."

What "plan of ſecurity" Mr. Burke is deſirous to recommend I pretend not to conjecture; but upon the principles laid down by him in this paragraph, it is difficult to imagine even the poſſibility of attaining to a ſtate of ſecurity, but by ſuch

ſuch vile expedients as would eventually leave us in poſſeſſion of nothing which we need be anxious to ſecure. As free governments may undoubtedly ſubſiſt under a great diverſity of forms, and as it is not in the nature of things to preclude, but by adopting the maxims of Turkiſh policy, the moſt ample diſcuſſion of their reſpective merits, a diverſity of opinions will and muſt be the inevitable reſult of this diſcuſſion. But it is contrary to common ſenſe, and to univerſal experience, to ſuppoſe, that ſpeculative differences of this kind can in a free ſtate be productive of the dangerous and fatal effects which Mr. Burke apprehends. For though the minority of the members of ſuch a ſtate cannot indeed be prevented from having an opinion, and will not be prevented from declaring it, the majority carrying the conſtructive authority of the whole, no attempt can be made in oppoſition to that authority, which would not involve thoſe who ſhould dare to oppoſe their wills to the public will in the guilt of treaſon and rebellion. If, on the other hand, the majority of the ſtate—that is, if the ſtate itſelf ſhould, in the gradual progreſs of opinions, be convinced of the neceſſity or utility of any political changes; it would become as hazardous and as criminal to *oppoſe* thoſe changes, when actually ratified and eſtabliſhed by the ſupreme authority, as it would

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previouſly have been to *enforce* them againſt the public will. Theſe conſiderations are ſo obvious, and the indiſpoſition of men, in all countries and at all times, to riſk their lives and fortunes in oppoſition to eſtabliſhed authority, excepting they ſuffer under great and manifeſt oppreſſion, is ſo notorious, that for any government, ſo highly valued and ſo firmly ſettled as that of Britain, to take alarm at theſe abſtract diſcuſſions, would argue great want of magnanimity. "Although there are ſome amongſt us," ſaid Mr. Burke, on moving his Conciliatory Propoſitions in 1775, "who think our conſtitution wants many improvements to make it a complete ſyſtem of liberty, perhaps none who are of that opinion would think it right to aim at that improvement by diſturbing his country, and riſqueing every thing that is dear to him. In every arduous enterprize we conſider what we are to loſe as well as what we are to gain; and the more and better ſtake of liberty every people poſſeſs, the leſs they will hazard in a vain attempt to make it more. Theſe are the cords of love. Man acts from adequate motives relative to his intereſt, and not on metaphyſical ſpeculations." Is human nature changed ſince Mr. Burke hazarded theſe remarks? If not, *how are we in danger?* The danger really ariſes from thoſe raſh and officious advocates of government, who repreſent

all ſuch perſons as entertain ideas of imperfection and defect in the conſtitution, or of its comparative inferiority to ſome other form of government, real or imaginary, as public enemies to the ſtate; who raiſe a clamorous and ſenſeleſs *yell* about treaſon and rebellion—a ſort of political *war-whoop*; and who excite horrid commotions themſelves, under the pretence of preventing the evil deſigns of others; ambitious, if we may judge from recent events, to diſtinguiſh themſelves as the Goths and ſavages of Europe. "What a reproach to an age which boaſts its ſuperior improvements in ſcience and literature, that the firſt philoſopher in Europe, of a character unblemiſhed, and of manners the moſt mild and gentle, ſhould be torn from his family, and obliged to flee, an outcaſt and a fugitive, from the murderous hands of a frantic rabble!"

There is a cauſe perpetually pleading before the tribunal of the public—the cauſe of reaſon and truth, in oppoſition to the claims of bigotry and oppreſſion; and of this cauſe has that great philoſopher diſtinguiſhed himſelf as a moſt illuſtrious advocate. But the infatuated multitude, in all ages miſled by intereſted and deſigning men, have, alas! too frequently and fatally miſtaken their beſt friends for their worſt enemies. If a Socrates ſuffers under a judicial ſentence—

if an Ariſtides is doomed to baniſhment by the verdict of his fellow citizens—if a Barneveldt and a Sydney die as traitors upon a ſcaffold—if a Galileo languiſhes in the priſons of the Inquiſition, and a De Wit falls a ſacrifice to the madneſs of popular rage; how ſhall a PRIESTLEY hope to eſcape? Or why ſhould we marvel to ſee him ſuſtain the ſacred character of a man injured by his country?

It were much to be wiſhed that men who are, like Mr. Burke, ſo much under the dominion of theſe political panics, would recur to facts, and would point out from the records of hiſtory, which, as Lord Bolingbroke admirably ſays, is "philoſophy teaching by example," a ſingle inſtance of danger ariſing from any free ſtate, from the cauſes which have excited ſuch terror in the mind of Mr. Burke; who would then, perhaps, ceaſe to vociferate upon the neceſſity of adopting new and odious plans of ſecurity, as if we were not already ſecure under the ſafeguard and protection of the laws, or as if any better plan of ſecurity could be deviſed than a reſolute perſeverance in, and progreſſive improvement of that ſyſtem of enlarged and liberal policy, by which this nation has been ſo long and ſo honorably diſtinguiſhed. Shew me throughout the ample page of hiſtory, "rich with the ſpoils of time," a ſingle inſtance in which any government or nation

tion has been, I will not ſay ſubverted, but in the ſlighteſt degree injured, nay, which has not been ſtrengthened, eſtabliſhed, and ennobled by a magnanimous adherence to the rules of eternal and unalterable juſtice; then will I acknowledge that the Hôpitals and Sullis of France, the Somerſes and Chathams of England, were, as Mr. Burke ſtiles the National Aſſembly, "Charlatans and mountebanks" in the ſcience of government; then will I acknowledge that the Machiavels, the Mazarines, and the Burkes alone, deſerve the name of ſtateſmen and politicians.

"The genius of the faction," ſays Mr. Burke, "is eaſily diſcerned, by obſerving with what a very different eye they have viewed the late foreign revolutions. Two have paſſed before them, that of France and that of Poland. A king without authority; nobles without union or ſubordination; a people without arts, induſtry, commerce or liberty; no order within, no defence without; no effective public force, but a foreign force which entered a naked country at will, and diſpoſed of every thing at pleaſure. Here was a ſtate of things which ſeemed to invite, and might perhaps juſtify bold enterprize and deſperate experiment. But in what manner was this chaos brought into order? The means were as ſtriking to the imagination, as ſatisfactory to the reaſon, and ſoothing to the moral ſentiments. We have

have ſeen anarchy and ſervitude at once removed; a throne ſtrengthened for the protection of the people, without trenching on their liberties; all foreign cabal baniſhed, by changing the crown from elective to hereditary. Not one man incurred loſs or ſuffered degradation. All, from the king to the day-laborer, were improved in their condition. Every thing was kept in its place and order; but in that place and order every thing was bettered. To add to this happy wonder, not one drop of blood was ſpilled, no treachery, no outrage; no ſyſtem of ſlander more cruel than the ſword; no ſtudied inſults on religion, morals, or manners; no ſpoil, no confiſcation, no citizen beggared; none impriſoned, none exiled; the whole was effected with a policy, a diſcretion, an unanimity and ſecrecy, never before known on any occaſion. Here was a matter for congratulation and for feſtive remembrance through ages. Here moraliſts and divines might indeed relax in their temperance, to exhilarate their humanity—But mark the character of our faction. All their enthuſiaſm is kept for the French Revolution. The frauds, the violences, the ſacrileges, the cruel murders, the inhuman confiſcations, the inſolent domination of bloody, ferocious, ſenſeleſs clubs; theſe are the things which they love and admire. What men love and admire they would ſurely

act. Let us see what is done in France, and then let us under-value any the slightest danger of falling into the hands of such a merciless and savage faction."

In opposition to all this rhodomontade, it may be sufficient to reply, that Mr. Burke has, as usual, grossly mistaken, or wilfully misrepresented facts in order to arrive at his conclusions: for it is most notorious, that those who are friends to the Revolution in France, are also friends to the Revolution in Poland. That the former should have engaged the principal share of our attention, and consequently of our applause, could never become a topic of wonder, and much less of slander, to any man but Mr. Burke, when it is considered how much better means of information we possess respecting it, and how much more nearly we are interested in the success of it. It is very easy indeed in that rhetorical style of composition, which, if generally adopted, would render all labor of investigation superfluous, to write an high-flown panegyric upon the one and a scurrilous libel upon the other, and then to exclaim against those who doubt the validity of the consequent decision, as the ferocious and senseless abettors of a savage and merciless faction. Without depreciating the merits of the Revolution in Poland, it may be remarked, that there were two circumstances which obviously and essentially facilitated its

its ſucceſs, and for the want of which in France Mr. Burke makes no allowance, though it is from this diſſimilarity of ſituation, that the diſorders and calamities of which the French revolution has been the occaſion have almoſt entirely originated. The FIRST is the ſincere and hearty concurrence of the monarch in the meaſures neceſſary to accompliſh it. The tendency of the revolution in Poland was to elevate, in France to depreſs the authority of the crown. The commotions, therefore, which have ariſen in France from the oppoſition of the monarch, do not prove the French Revolution to be in itſelf leſs beneficial than the Poliſh, but merely leſs eaſy to effect. The other, or SECOND circumſtance alluded to, is the novelty of the power aſſumed by the National Aſſembly, which, though really founded on the only juſt foundation of power, the conſent of the people,* was, by the diſaffected, ſubmitted

* Leſt Mr. Burke ſhould exclaim againſt this poſition, as *ſenſeleſs and barbarous*, it may be proper to refer him to the fifth article of the new conſtitution of Poland, which expreſsly acknowledges and declares, "That all power in civil ſociety, having for its end and object the preſervation of civil liberty, ſhould be derived from the will of the people." And the celebrated Commentator upon our laws, animadverting upon the ſame general poſition as advanced by Mr. Locke, obſerves, "that *a reſumption of power* by the people at large, is a caſe which no conſtitution of government can have in con-

ſubmitted to with more reluctance than an authority like that of the diet of Poland, eſtabliſhed by long and uninterrupted preſcription. There were even ſome extravagant enough, like Mr. Burke, to reprobate the juriſdiction exerciſed by the National Aſſembly, as a lawleſs uſurpation. But the confuſion and bloodſhed occaſioned by the reſiſtance of theſe refractory ſpirits, do not in the leaſt derogate from the merits of the Revolution itſelf. On the contrary, that reſiſtance greatly enhances the merits of thoſe who have had theſe additional difficulties to encounter, and who have actually ſurmounted them. But Mr. Burke has the folly and temerity to aſcribe all thoſe calamities to the conſtitution itſelf, which have ſolely ariſen from the oppoſition made to its eſtabliſhment.

"The factions," ſays Mr. Burke, "now ſo buſy amongſt us in order to diveſt men of all love for their country, and to remove from their minds all duty with regard to the ſtate, endeavor to propagate an opinion that the people, in form-

templation, or for which it can make any previous proviſion—Leaving, however, to future generations, whenever neceſſity and the ſafety of the whole ſhall require it, the exertion of thoſe inherent, though latent powers of ſociety, which no climate, no time, no conſtitution, no CONTRACT, can ever deſtroy or diminiſh."

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ing their commonwealth, have by no means parted with their power over it. This is an impregnable citadel, to which theſe gentlemen retreat whenever they are puſhed by the battery of laws, and uſage, and poſitive conventions. Diſcuſs any of their ſchemes, the anſwer is, it is the act of the people, and that is ſufficient. Are we to deny to a majority of the people the right of altering even the whole frame of their ſociety, if ſuch ſhould be their pleaſure? They may change it, ſay they, from a monarchy to a republic to-day, and to-morrow back again from a republic to a monarchy, and ſo backward and forward as often as they like. They are maſters of the commonwealth, becauſe in ſubſtance they are themſelves the commonwealth. The French Revolution, ſay they, was the act of the majority of the people; and if the majority of any other people, the people of England for inſtance, wiſh to make the ſame change, they have the ſame right—juſt the ſame undoubtedly; that is, none at all. Neither the few nor the many have a right to act merely by their will in any matter connected with duty, truſt, engagement or obligation. The conſtitution of a country being once ſettled upon ſome compact, tacit or expreſſed, there is no power exiſting of force to alter it, without the breach of the covenant, or the conſent of all the parties: ſuch is the nature of a contract. And the votes of a

majority of the people, whatever their infamous flatterers may teach, in order to corrupt their minds, cannot alter the moral any more than they can alter the phyſical eſſence of things." It is for Mr. Burke, if he can, to reconcile theſe ſentiments to the declaration which he formerly made in his public letter addreſſed to the Sheriffs of Briſtol. "If any aſk me," ſays he, page 55, "what a free government is? I anſwer, that for any practical purpoſe, it is what the people think ſo: and that THEY, and not I, are the natural, lawful, and competent judges of this matter." It is enough for me to remark, in addition to the obſervations already made, that Mr. Burke vainly attempts in this paſſage, by confounding our ideas, to prove that the rights of man are incompatible with his duties and obligations. A civil community has certainly the right or privilege of acting in the manner really and truly moſt conducive to its own happineſs; this is the plain dictate of reaſon and common ſenſe. But this right involves in it a duty or obligation to maintain inviolate thoſe principles of equity, juſtice, and civil ſubordination, which are themſelves eſſential to public happineſs. The right contended for is founded upon, and muſt be exerciſed in conformity to the dictates of reaſon. To affirm that the people have a right to ſubvert an eſtabliſhed government from mere caprice,

caprice, would be indeed a ſenſeleſs and a monſtrous doctrine, ſuch as the wildeſt theoriſt never yet ventured to inculcate. But even principles, the moſt juſt and ſalutary in themſelves, may doubtleſs be perverted to vile and pernicious purpoſes by a raſh, or inſidious, or ignorant miſapplication of them. A KETT, ſitting under the ſhade of the "*oak of reformation*," might employ in the cauſe of ſedition and rebellion the ſame general arguments and reaſonings as a LOCKE or a SYDNEY, in vindication of the rights of the people as exerciſed at the Revolution. But ſhall we therefore conclude, in order to put an end to all diſcuſſion, and to terminate all diſputes at once, that the people have no rights, and that thoſe who dare to aſſert the exiſtence of them are "*infamous flatterers of the people?*"

According to Mr. Burke's wiſe notions of government, it ſeems that the conſtitution of every country being ſettled upon ſome contract, tacit or expreſſed, there exiſts neither power nor right to alter it, however inequitable its conditions, or however great the oppreſſion and miſery of which it is productive. One ſhould hardly have expected, at the cloſe of the eighteenth century, to have heard ſuch principles of government advanced any where but at Conſtantinople; and even in that ſeat and centre of deſpotiſm, in the Divan itſelf, there are probably not wanting thoſe

who entertain ſome faint notion that government was inſtituted not for the benefit of the governors, but of the governed; that it is not contrary, therefore, to the "moral eſſence of things," to ſuppoſe that a contract of government which diveſts the people of their natural rights, inſtead of protecting them in the enjoyment of thoſe rights, is to be held in execration as an infamous and fraudulent contract, in its own nature abſolutely null and void. It is remarkable, at leaſt it would be ſo of any other writer, that though Mr. Burke thus takes upon him poſitively and vehemently to aſſert, that no contract, plan, or ſyſtem of government whatever, once eſtabliſhed, can be altered without the conſent of all the parties; *i. e.* of the oppreſſors as well as the oppreſſed; he afterwards reckons it "a very nice and dangerous point of caſuiſtry to determine, whether after the people have diſcharged themſelves of their original power by an habitual delegation, no occaſion can poſſibly occur which may juſtify their reſumption of it?" And he contents himſelf with ſaying, "that no occaſion can juſtify ſuch a reſumption which would not equally authorize a diſpenſation with any other moral duty." This is certainly true: for obedience to civil government being itſelf a moral duty of great magnitude, very cogent reaſons muſt be aſſigned to juſtify any deviation from it.

it. Political oppreſſion, however great, will not, in a moral view, juſtify reſiſtance, which is itſelf ſo great an evil, and which is ſo fertile of evils, excepting there exiſts a very ſtrong preponderance of probability that the oppreſſion may be removed or alleviated by ſuch reſiſtance. Unfortunately, reſiſtance has in general ſerved only to rivet ſtill cloſer the chains and fetters of deſpotiſm. "The practical conſequences of any political tenet," ſays Mr. Burke, who may for once be quoted with ſatisfaction, "go a great way in deciding upon its value. Political problems do not primarily concern truth or falſehood. They relate to good or evil. What in the reſult is likely to produce evil, is politically falſe; that which is productive of good, politically is true."

"We have read in hiſtory," continues Mr. Burke, "of that furious inſurrection of the common people called the *Jacquerie*; for this is not the firſt time that the people have been enlightened into treaſon, murder, and rapine. Its object was to extirpate the gentry. The *Captal de Buche*, a famous ſoldier of thoſe days, diſhonored the name of a gentleman and of a man, by taking for their cruelties a cruel vengeance on theſe deluded wretches. It was, however, his right and his duty to make war upon them, and afterwards in moderation to bring them to puniſhment

niſhment for their rebellion; though in the ſenſe of the French Revolution, and of ſome of our clubs, they were the people; and were truly ſo, if you will call by that appellation any majority of men told by the head."

That the people have ever been in any inſtance *enlightened*, in Mr. Burke's ſenſe of the term, into rebellion, *i. e.* by teaching them the knowledge of their duties and their rights, he has adduced no proof. Popular inſurrections have invariably ariſen from the moſt grievous oppreſſion, or the moſt deplorable prejudice; and the French hiſtorians give no hint that any ſpeculative reaſonings had the ſlighteſt influence in exciting the inſurrection in queſtion. "Pendant cette anarchie," ſays Mezerai, ſpeaking of the ſtate of France at the latter end of the fourteenth century, which Mr. Burke ſo highly celebrates as the æra of true *dignity of thinking*, "la nobleſſe & les autres gens de guerre, exerçoient toutes ſortes de violence ſur les pauvres peuples de la campagne. Ces malheureux, batus, pillez, courus, commes des bêtes ſauvages—ſe reſolurent d'exterminer tous les gentilſhommes. Cette fureur commença dans le Beauvoiſis. On la nomma *la Jacquerie* parce que les gentilſhommes lorſ-qu'ils pilloient le payſan, l'appelloit par raillerie *Jacques Bon-homme*." We ſee, therefore, that theſe poor wretches were not enlightened,

but exaſperated into reſiſtance; and though they certainly retained the right, had they poſſeſſed the power of doing themſelves juſtice, they were unhappily totally ignorant of the proper means of exerting it. Had the *Jacquerie* conſtituted the majority of the people of France, *told by the head*, as Mr. Burke pretends, no *unanimity* can alter the nature of thoſe acts which proceed from a ſpirit of ſavage and ſanguinary revenge. Rights founded upon reaſon muſt be exerciſed conformably to the laws of reaſon.

But amongſt the moſt obvious and alarming evils which originate even in the juſteſt reſiſtance to eſtabliſhed power, is the probable *want of unanimity* reſpecting the mode and meaſure of reſiſtance. It is then that the enemies of liberty begin to exult and exclaim in the language of Mr. Burke, p. 128, "Who are theſe inſolent men calling themſelves the nation? Who are they who claim by preſcription and deſcent from certain gangs of banditti called Franks, and Burgundians, and Viſi-Goths? When men break up the original compact or agreement which gives its corporate form and capacity to a ſtate, they are no longer a people—they are a number of vague, looſe individuals, and nothing more. We hear much about the omnipotence of a majority; but in the diſſolution of ſociety, *ſuch as hath taken place in France*, there can be no ſuch

thing

thing as majority or minority. The authority of the whole reſiding in a part only is a mere fiction of poſitive law, to which out of a ſtate of civil ſociety none are under obligation to ſubmit. In all things the voice of the grand chorus of national harmony ought to have a mighty and deciſive influence. But when you diſturb this harmony, when you break up this beautiful order, I no longer know the venerable object called the people in ſuch a diſbanded race of deſerters, and vagabonds, and rebels."

Whatever, therefore, might be the rights of men in a ſtate of civil ſociety, or anterior to its formation, Mr. Burke is clearly of opinion, that ſubſequent to its diſſolution they have none. Not only the rights of the people vaniſh, but the people themſelves are metamorphoſed into vagabonds, rebels, and deſerters; a lawleſs crew of banditti, conſiſting neither of majority nor minority, abſolutely incapable of forming any new compact of government, and who have no juſter claim even to the lands which they occupy, "*to the territory called France*," than Mr. Burke; who knows, as he declares, of no title which they can upon their own principles advance to this fair domain of nature ſuperior to his, but that of chattering in a certain jargon to him unintelligible; and whom, in the language peculiar to himſelf, he has deſcribed

"as

"as the croud of men on the other ſide the channel who have the impudence to call themſelves a people." Is it neceſſary to deſcend to the humiliating taſk of replying formally and ſeriouſly to this monſtrous aggregate of abſurdities? covered, but not concealed by the painted goſſamer veil of metaphor. That a diſſolution of government, or of the ſocial compact, has taken place in France, becauſe an aſſembly delegated by the nation at large for that expreſs purpoſe has altered the form of its conſtitution, is a poſition too extravagant for refutation. And allowing the actual "diſſolution of ſociety in France," to maintain that in a ſtate of nature the people can have no rights, and are exempt from all obligations, is a poſition worthy of the ſame author. In this, as in moſt other inſtances, however, Mr. Burke ſtands ſelf-confuted and ſelf-expoſed. "Natural rights," ſays this ſingular writer, (Reflections, p. 88,) "may and do exiſt in total independence of government, and exiſt in much greater clearneſs, and in a much greater degree of abſtract perfection; but their abſtract perfection is their practical defect." And again: "In the groſs and complicated maſs of human paſſions and concerns, the primitive rights of men undergo ſuch a variety of refractions and reflections, that it becomes abſurd to talk of them as if they continued in the ſimplicity of

their original direction." According to this doctrine the rights of men, and consequently their duties and obligations, are much clearer in a state of nature than in a state of society: and by a dissolution of the social compact that beautiful moral order and harmony, so much admired by Mr. Burke, are not destroyed, but restored.

But to conclude: Innumerable are the reproaches and almost insuperable the difficulties to which the people stand exposed, who are engaged in an actual resistance, however just or necessary, to the powers that exist. Happy may that nation therefore justly be accounted, who, enjoying the inestimable advantages of a mild and free form of government, feel themselves under no temptation to violate their civil obligations in order to establish their essential rights: and who, in their efforts to improve and perfect that form, reject with indignation the idea of having recourse to any methods but such as are peaceable, legal, and constitutional.

Happy, but in an inferior degree, may that nation also be esteemed, which, suffering long under the rod of oppression, is at last able effectually to assert and establish its rights and liberties, though at the expence of its treasure and its blood—which hath not only courage to redress its own wrongs, but wisdom to devise, and unanimity to establish a system calculated to extend

tend and perpetuate its own happineſs! And if any one, from whom better things might reaſonably be expected, ſhould proſtitute the powers of genius and eloquence, once employed to a far different purpoſe, to vilify and traduce an attempt ſo glorious: ſhould he even be ſo miſerably blinded by paſſion and prejudice as to pronounce ſuch a Revolution "a tyrannic uſurpation," and write volumes of ſtudied and high-flown declamation, intermingled with raſh and precipitate cenſures, in order to expoſe it to the deteſtation of mankind; he would be viewed by them not ſo much perhaps with reſentment as with pity. And could they deign to notice ſuch an opponent, they might ſatisfy themſelves with applying to him the character of a once famous orator, as it has deſcended to us from the hiſtorians and critics of antiquity:—"Primis enim contempto ordine rerum, omiſſa modeſtia & pudore verborum, ipſis etiam quibus utitur armis incompoſitus; & ſtudio feriendi plerumque dejectus, non pugnat, ſed rixatur—Ingenii plurimum eſt in eo, & acerbitas mira, & urbanitas, & vis ſumma; ſed plus ſtomacho quam conſilio dedit."

ESSAY

ESSAY XXVII.

REMARKS ON PARLIAMENTARY REFORM.

AMONGST the many great and intereſting political queſtions which have been agitated of late years in this country, the moſt important is certainly that which relates to the propriety and neceſſity of a reform in the preſent ſyſtem of repreſentation. For if the legiſlative body be itſelf imperfectly or defectively conſtituted, a multiplicity of evils muſt inevitably flow from a fountain originally corrupt. And it is doubtleſs of far greater conſequence effectually to eradicate the cauſe, than to provide a remedy for any of the ſpecific miſchiefs reſulting from it. Hiſtorians and political writers of all parties agree, that at the æra of the Revolution a ſyſtem of regal influence was gradually ſubſtituted by the new government, for that high and imperious exerciſe of prerogative by which the Kings of the Houſe of Stuart attempted in vain to ſubvert the liberties of this country. Various efforts, at various times ſubſequent to that period, were made with unequal ſucceſs, to eſtabliſh the integrity and independency of Parliament upon a ſolid

ſolid baſis. In the reign of King William the duration of Parliaments, till then indefinite, was limited by the Triennial Act: landed qualifications to an high amount were by a ſubſequent ſtatute required of the members of the Houſe of Commons. By another regulation, members accepting offices under the crown vacated their ſeats in Parliament, and ſuch as received penſions during pleaſure were abſolutely incapacitated. So inefficacious, however, were all theſe different meaſures, that in our own times, and at a period of recent date, the Houſe of Commons, impelled by the force of conſcious conviction, declared by a ſolemn vote that "the influence of the crown had increaſed, was increaſing, and ought to be diminiſhed." And with the general approbation of the nation efforts, faint and feeble indeed, were actually made, to reduce this dangerous influence within juſt and conſtitutional bounds, by the abolition of various places and offices under the crown, by the excluſion of public contractors from the Houſe of Commons, and by the diſfranchiſement of certain deſcriptions of revenue officers. Notwithſtanding theſe Acts, the operation of which was prodigiouſly over-balanced by the vaſt acceſſion of patronage which accrued to the crown by the India Bill of Mr. Pitt, by the aſtoniſhing increaſe of the civil and military eſtabliſhments,

and the enormous addition within a very few years made to the national debt, it ſtill remains at leaſt as true as ever, " that the influence of the crown ought to be diminiſhed."

The American war being evidently continued by the mere ſtrength of that influence, long after it had become odious to the nation, it began at length to be clearly perceived, that the only effectual mode of accompliſhing that diminution was by a radical reform in the ſyſtem of repreſentation. And Mr. Pitt, the preſent miniſter, then in oppoſition, brought forward a motion in Parliament, May 1782, for an enquiry into the ſtate of the repreſentation, which was ſo forcibly ſupported, that the queſtion was loſt by a majority of 20 voices only. Amongſt other ſtriking obſervations of Mr. Pitt on this occaſion, he declared his belief, " that there was no member of that Houſe who would not acknowledge, that the repreſentation as it now ſtood was incomplete. It was perfectly comprehended that there were ſome boroughs under the abſolute influence of the Treaſury, and which had no one quality of repreſentation in them. There were other boroughs under the patronage of ſome lord or great man, whoſe repreſentatives alone the members of ſuch boroughs could be accounted. Another ſet of boroughs claimed to themſelves the right of bringing their votes to market,

market. Far from conſulting the intereſts of their country in the choice which they made, they held out their boroughs to the beſt purchaſer; and in fact ſome of them belonged more to the Nabob of Arcot than to the people of Great Britain. Would any man ſay, that in this caſe there was the moſt diſtant idea or ſhadow of repreſentation? The reverence and enthuſiaſm entertained by Engliſhmen for the conſtitution might eventually be the means of deſtroying the conſtitution, if they determined not to touch its defects leſt they ſhould endanger its excellencies. Such defects as theſe affected the radical principles of the conſtitution, and to remove them would be not innovation but reſtoration. In theſe ſentiments he knew that he concurred with many of the greateſt and wiſeſt characters this kingdom could boaſt, and particularly with his much honored father the late Earl of Chatham, who was firmly of opinion that a reform of the repreſentation was abſolutely requiſite for the ſecurity of our conſtitutional liberties."

And that upright and diſintereſted patriot Sir George Saville, who zealouſly ſupported the motion of Mr. Pitt, by a beautiful illuſtration, compared the conſtitution of this country, ſo admired and venerated, to an ancient oak which he had obſerved not long ſince upon his eſtate green and flouriſhing, and in appearance per-

fectly found; but on paſſing this tree he ſaw a hole or two in the trunk, which led him to a cloſe inſpection of it, when it was found *rotten within.*

Far from appearing diſcouraged at the failure of his firſt attempt, Mr. Pitt pledged himſelf never to loſe ſight of the object, but to uſe his utmoſt efforts both as a man and a miniſter to ſecure its ultimate ſucceſs. But from ſome ſecret cauſe, his efforts ſoon loſt their energy, and the matter reſted or rather ſlept with little interruption for ſeven years, till the aſtoniſhing Revolution effected in France excited a ſpirit of political examination and enquiry in the minds of very many perſons in this country, accompanied no doubt with reſpect to numerous individuals and even ſocieties of men, whoſe general rectitude of intention there is no ground to queſtion, with very wild and viſionary ideas of government, and with a fondneſs of political experiment and change utterly incompatible with ſound policy and diſcretion, and perhaps not entirely conſiſtent with a regard to the national peace and ſafety.

It is not neceſſary to ſay how ſenſibly theſe ideas were foſtered by the bold and extravagant reveries of a man who could never have attained to any diſtinguiſhed reputation, as a writer on general politics, had not the minds of a great

part of the nation been previouſly irritated and alienated by the obſtinate adherence of the government of this country to the wretched policy of Teſt Laws, excluding men, on account of religious diverſities of opinion, from the rights of men and citizens. In the famous publication of Mr. Paine, it muſt be acknowledged, notwithſtanding the utter contempt of decorum, and the ſpeculative abſurdities which characterize it, that many groſs political abuſes, ariſing out of the preſent enormous ſyſtem of corruption and extravagance, are attacked with extraordinary vigor and ſucceſs. This book, however deficient as an argumentative treatiſe on government, is calculated to make a powerful impreſſion on the public mind; and it poſſeſſes, in an eminent degree, that animation and ardor without which judgment is of no avail, and knowledge has no efficacy. On the other hand, under a thin veil of benevolence, an envious and malignant mind is very diſcernible; cheriſhing, for whatever cauſe, a rooted enmity to this country; rather chuſing to be "a canker in the hedge, than a roſe in her grace." Not perceiving, or not caring to perceive, that if there are great evils in the ſtate to be remedied, there are far greater evils to be avoided; and that it ſhould be the *primary concern* of reformers not to make a diſadvantageous exchange of evils, he knows no me-

dium between reformation and ſubverſion, reparation and ruin. To adopt the Shakeſperian language and imagery, he looks with anticipated delight,

> " As doth a raven o'er a ſick-fallen beaſt,
> On all the vaſt confuſion that awaits
> The imminent decay of wreſted pomp."

A prior, and no leſs potent cauſe of the preſent dangerous inflammability of the public mind, is another publication juſtly celebrated for the ſplendor of its eloquence, but containing " Reflections" in the higheſt degree abuſive and malignant, upon all thoſe who approved of and rejoiced in the ſubverſion of the ancient deſpotiſm of France, and inculcating ſentiments unheard of for a century paſt in this country, and which rendered the book *a libel* upon all free governments.

" Suppoſing," ſays an excellent writer, Sir Brooke Boothby, " that the theory of the French Revolution had excited any fanatical admiration in this country, what could be more injudicious and ill-timed than to excite and irritate this paſſion by the angry perſecuting heat of ſuch a work as the Reflections? The Reflections preceded and provoked the Rights of Man; and whatever miſchief is produced by the latter muſt be ultimately referred to the former. Anger generates

nerates anger, and intemperance begets intemperance. By the colliſion of zeal againſt zeal, the train is ſet fire to, and the voice of reaſon is utterly ſtifled in the noiſe and confuſion. To charge men with mere terms of abuſe, requires or evinces no ſuperiority of any kind. Such appellations as "infamous gang," "wicked faction," "tyrannic impoſtors," "incendiaries," "aſſaſſins," "houſebreakers," "robbers;" ſuch epithets as "foul," "impious," "monſtrous," "ſavage," "barbarous," "treacherous," "wicked," "cruel," "clumſy," "ſtupid," &c. &c. may always be hurled back upon the adverſary with more force than they are at firſt employed, becauſe the uſage of them is juſtified by example."

In this critical ſtate of the public mind, when the nation was manifeſtly deviating every day more and more into two very oppoſite and dangerous extremes, it was judged expedient by many of the moſt judicious advocates and "Friends of the People," to eſtabliſh an aſſociation which ſhould have for its ſole object a reform in the repreſentation; preſuming that this great object once attained, every neceſſary and beneficial alteration would be gradually accompliſhed by the wiſdom and authority of the legiſlature, in a regular and conſtitutional method. They hoped that the utility of this meaſure was

ſo well aſcertained, and reſted upon ſuch high authority, as to reſcue them from the reproach attending the character of violent and reſtleſs innovators on the one hand; and on the other there appeared a fair probability, that when a grand and ſpecific conſtitutional object was propoſed by perſons of diſtinguiſhed rank and influence in the community, the different political ſocieties already formed would be content to relinquiſh their viſionary, however well-meant projects, and to concur in the proſecution of a moderate and practicable plan, comprizing in it the ſtamina of future and ſucceſſive improvements.

In order that the attention of the nation might be fully awakened, Mr. Grey, a leading member of the aſſociation, gave notice in the Houſe of Commons, in the month of April laſt (1792), of his intention to bring forward, in the courſe of the enſuing ſeſſion, a motion on the ſubject of Parliamentary Reform. The miniſter, in a vehement ſpeech, inveighed againſt the indiſcretion and temerity of this deſign in the exiſting circumſtances, and went the extraordinary length of ſaying, that he would rather give up every hope and expectation of reform, than yield his aſſent to a motion ſo unſeaſonable and fraught with ſo much danger.

In a very ſhort time after this a royal proclamation

mation was iſſued of an unuſual nature, complaining of the propagation of ſeditious principles and writings, and denouncing judgment upon the perſons of the offenders. The Houſe of Commons being moved to addreſs the King upon this ſubject, a warm debate aroſe, in which the miniſter was charged with exciting or endeavoring to excite feuds and contentions in the kingdom, in which no ſymptom of diſorder then exiſted to juſtify ſo unprecedented a meaſure: with inſidiouſly aiming to intimidate the friends of liberty; counteracting their efforts, and creating pretexts for repreſenting thoſe who were aſſociated for the purpoſe of obtaining a Reform in Parliament as enemies of the conſtitution; and in bitter terms reproached with apoſtatizing from his own original and avowed principles. Mr. Pitt, nevertheleſs, profeſſed, "that his principles, reſpecting the expediency of Parliamentary Reform, were retained by him in their full force, though he could not admit this to be the proper time for reviving the conſideration of it." To a miniſter of ſtate, doubtleſs, any time for the purpoſe of making motions of reform, muſt be expected to appear preferable to the time preſent: but the plea of danger ariſing from any internal agitation, or tendency to tumult, was urged with groſs inconſiſtency by the man who had deſcribed the kingdom, in his ſpeech at the com-

commencement of the ſeſſion, as in a ſtate of profound tranquillity, and in all reſpects flouriſhing and proſperous beyond all former æras. Had the motion of Mr. Grey met with the concurrence and ſupport of government, it is very improbable that any ſerious alarm would have been excited. But by raiſing clamorous exclamations of danger to the ſtate, an alarm muſt be diffuſed throughout the nation which might afterwards ſerve as a juſtification of the miniſter's oppoſition.

Should it be aſked, what are the mighty evils which flow from that influence of the crown for which a reform in Parliament is believed to be the only adequate remedy? it may be replied in a few words: the predominance of a ſpirit of regal pride and ambition in the national councils, diſplaying itſelf in an almoſt uninterrupted ſeries of wars for almoſt a century; a conſequent inattention and comparative indifference to the domeſtic and internal concerns of the kingdom; a peace eſtabliſhment, including the civil liſt, of ſix millions: a national taxation of ſeventeen millions; of which the dire effects are ſeen in a diſſolute, impoveriſhed, and miſerable commonalty, ſupported not by the fruits of their own induſtry and œconomy, but by a compulſive and oppreſſive contribution of two additional millions annually levied upon the public. In the

the higher claſſes of the community the effect of the ſame enervate and corrupt ſyſtem is ſeen in the rapid and alarming increaſe of diſſipation, luxury, and a prevailing indifference, or rather contempt, for the great ſanctions of morality: together with a diſpoſition, becoming every day more faſhionable, to treat all ſubjects, however intereſting and important, in a ſtile of levity and ridicule, and to repreſent all pretenſions to public virtue and public ſpirit as romantic and chimerical. To theſe evils we may add, that a national eſtabliſhment profeſſing to inculcate and enforce the divine truths of our religion, and which ſo far as it conduces to this purpoſe is the juſt object of veneration, is in danger of falling into the contempt of the ſerious and intelligent, from the accumulation of errors and abuſes, long the ſubject of regret to its more enlightened members, but of which it is in vain to expect a reform till a previous reformation has taken place in the ſtate, with which it boaſts ſo ſtrict and intimate an alliance. We know that while the preſent weight of regal influence oppreſſes and reſtrains the volitions of the legiſlative body, theſe evils will not only continue, but continue to increaſe, till at laſt a general convulſion may be neceſſary to relieve the country from grievances and burdens which a wiſe and timely caution only is now wanting to avert.

It

It is true, we are frequently told that the nation is in a ſtate the moſt flouriſhing and proſperous; but this aſſertion is hazarded with very little knowledge of the real interior ſtate of the kingdom. If there be juſt reaſon to affirm that the bulk of the community enjoyed, in the times preceding the Revolution, much more eaſe, comfort, and happineſs, than at preſent; the kingdom, unqueſtionably, upon the whole, was in a far more proſperous ſtate a century ago than it now is, notwithſtanding the eſtabliſhment of a free conſtitution in this country; from which the lower claſſes of the people have hitherto, in my opinion, derived very little advantage indeed. In conſequence of the Revolution, and as a moſt fatal appendage to it, this nation has been engaged in a ſeries of wars, ſupported, at an enormous expence, by impoſitions the moſt grievous and oppreſſive. But it merits remark, that the creation of a national debt bearing intereſt is, in fact, the creation of a new and artificial ſpecies of wealth, of which an artificial and proportionate meaſure of poverty is the neceſſary concomitant. And the rich ſtockholder is a man who fares ſumptuouſly and luxurioufly upon the produce of taxes levied upon indigence and miſery. The great extenſion of foreign commerce, and may we not add, the avidity and licence of foreign plunder, have alſo been the means of in-

increaſing the wealth of individuals to an enormous amount; and it muſt be allowed that at no former period did ſo great a number of families live in a ſtile of ſuch ſplendor. There are alſo very many perſons who enjoy lucrative places under the government, or who in ſome mode derive great pecuniary advantage and emolument from their connection with it; and who thrive in proportion as the public burdens increaſe. All theſe different claſſes of men talk much and loudly of the flouriſhing ſtate of the kingdom. But thoſe who are converſant with the middle and lower ranks of the community, who have viſited the cottages, or rather the *hovels* of thoſe ſtiled, in the language of ariſtocratic inſolence, "A Swiniſh Multitude," are ſenſible of the fallacy of this flattering, but fatal deluſion. There is nothing in which thoſe who have attended to the ſubject, and who are moſt competent to judge, are more perfectly agreed, than that the *laboring poor*, who form the ruſtic baſe which ſupports the grand fabric of ſociety, were never in a ſtate ſo truly diſtreſsful as at preſent. The great influx of wealth, by reducing the value of money, while the hire of the laborer continues nearly the ſame, has been to them highly and obviouſly detrimental. The whole ſyſtem of poors' laws, which was originally and humanely intended for their relief, is become the inſtrument

of

of their oppreſſion. Expoſed to all "the ills that fleſh is heir to," the victims of parochial and municipal tyranny, periſhing with nakedneſs and famine; they are conſoled, ſhall we call it, or inſulted with the declaration, that the country they inhabit was never in ſo flouriſhing a condition. But for one, I never can, I never will admit that to be national proſperity, which is conſiſtent with ſuch diſplays and ſuch increaſe of national wretchedneſs.

Near a century ago, when the ruinous ſyſtem of funding was in its infancy, the famous Dr. D'Avenant declared, "that whenever this kingdom ſhould be arrived at that period of ill conduct as to pay five or ſix millions per annum, we might venture to pronounce, that the common people of England would then grow as poor and as miſerable as the common people of France." At this day more than three times that ſum is raiſed upon the people of England, in a time of profound peace, and the effect produced is ſuch as to move the deep concern and commiſeration of the good, though it cannot excite the wonder of the wiſe. Nor is it to be inferred, that the ſovereigns who have ſwayed the ſceptre of theſe kingdoms, ſince the æra of the Revolution, or the miniſters employed by them have, in reſpect of general rectitude of character, ſunk below the level of their predeceſſors or contemporaries—

far

far from it. But such is human nature, and such the certainty and precision with which moral causes operate on human affairs, that it may be assumed as an infallible maxim, that in situations where power is liable to abuse, from the perpetual recurrence of temptation, there power will be abused. Nor will it be always perceived by the individuals who are placed in these exalted and hazardous situations, how far their actions deviate from the genuine standard of rectitude; satisfying themselves with acting as political expediency, viewed through a false and delusive medium, may require.

The defects of the present system are indeed easily pointed out, but who, it is said, will pretend to assign the proper remedy? An alteration does not necessarily imply an improvement in the system; and we ought to be well assured that greater evils will not result from any specific plan of amendment or reform, than those which we now endure, and of which we know the full extent. This language is indeed so far founded in wisdom, that it must be acknowledged of indispensible importance to consider with the most calm and deliberate attention the nature of the remedy proposed, and the general effect which it is calculated to produce. If, however, the theoretical defects of the present system, and the practical evils resulting from it can be made clearly

clearly to appear, it is the part of rational wiſdom to deviſe a remedy: and it is not ſurely for any individual arrogantly to affirm, that for theſe acknowledged defects and evils no remedy can poſſibly be found. The moſt blind and exceſſive admiration of the Britiſh conſtitution will ſcarcely carry any one to the length of aſſerting, that leſs than 6000 men ought to chooſe more than one half of the repreſentatives of nine millions of people—that ſeats in the legiſlature are with *advantage* to the public bought and ſold "as common as cattle in a fair"—that the executive government can claim, on any ground of reaſon, the virtual appointment of a large proportion of the legiſlative body—that the borough of Old Sarum, conſiſting of a ſingle tenement, ought to return as many members to Parliament as the city of Weſtminſter or the county of York—that the confuſion and riot attending the preſent Gothic mode of conducting popular elections are favorable to the general welfare of the community. Theſe are ſoleciſms which no man can ſeriouſly attempt to defend. It is evident that they are the anomalies of a ſyſtem irregularly and fortuitouſly formed; and to ſuppoſe that no human ſagacity is competent to rectify theſe glaring political abſurdities, is an aſſertion which requires not leſs effrontery to utter than patience to hear.

In

In alluſion to theſe pernicious influences and prepoſterous inequalities, a late celebrated political writer and divine, in the language of patriotic indignation, ventured to ſtile the preſent ſyſtem "a ſhadow and mockery of repreſentation," for which, amongſt other *ſenſeleſs aſſertions*, he has been ſtigmatized by Mr. Burke as "a political theologian or theological politician, equally ignorant of the character he left and that he aſſumed"—and ſcurrilouſly reviled as the genuine ſucceſſor and counterpart of the wretched fanatic Hugh Peters. But a leſs extenſive knowledge of hiſtory than that poſſeſſed by Mr. Burke might have ſuggeſted to his recollection, "a political theologian or theological politician" of another deſcription, whoſe character and writings bear a much cloſer analogy to thoſe of Dr. Price—the famous Father Paolo Sarpi, who was in his day regarded by the enlightened part not only of his own countrymen but of Chriſtendom at large, as "the Apoſtle of Liberty"—who in his memorable conteſt with the court of Rome vindicated the civil and religious rights of the ſtate of which he was a member, and virtually of all mankind, with ſuch reſplendent ability and ſucceſs, as to ſhake to their very foundation the pillars of that ſanctuary of prieſtcraft and ſpiritual uſurpation. The Venetian ſenate, not being as it ſeems converſant in Mr. Burke's

maxims of ſtate policy, thought it no degradation of their dignity to aſk the advice and to be guided by the counſels of this ſimple Friar, in the moſt difficult and critical emergencies. Like the venerable patriot whom Mr. Burke has made the object of his malignant abuſe, he had the ſatisfaction to ſee a diffuſion of knowledge, to which he had eminently contributed, undermining ſuperſtition and error. And it is recorded of him, that in the latter period of his life he was often heard to repeat, or as Mr. Burke would ſtile it, "to prophane" the beautiful prophetic ejaculation, *Lord, now letteſt thou thy ſervant depart in peace, &c.* And feeling his ruling paſſion ſtrong in death, he breathed out his laſt ardent wiſhes for the ſafety and proſperity of his beloved country with Roman energy, in the words ESTO PERPETUA.

In diſcuſſing the ſubject of a radical Parliamentary Reform, the cardinal points to which it is neceſſary to advert are population, riches, and extent of territory. Theſe the Conſtituent Aſſembly of France have ſtiled the three BASES of REPRESENTATION: but to which Mr. Burke has been pleaſed to aſſert "that no one in England pays any regard out of a few giddy clubs." But if theſe are not circumſtances which merit attention in forming or reforming a ſyſtem of national repreſentation, it would be great condeſcenſion

deſcenſion in Mr. Burke to inform us by what conſiderations, political, metaphyſical and moral, we ought to be guided? A few perſons indeed, miſled by erroneous abſtract notions, have maintained that every man poſſeſſes an equal and inherent right of ſharing in the powers of government, by himſelf or his immediate repreſentative, and that the repreſentation ought to be founded ſolely on the baſis of population. But though all men are born equal with reſpect to their rights, it is no leſs certain that in a ſtate of ſociety thoſe rights are to be exerciſed, modified and regulated in ſuch manner, as may be moſt conducive to the general good. And every ſyſtem of morals and metaphyſics is deluſive and dangerous, which does not found civil and political right upon the baſis of utility. "The rights of man in ſociety are his advantages," as Mr. Burke has truly told us; and that ſyſtem of government approaches neareſt to the ſtandard of perfect rectitude which ſecures the greateſt number of advantages, and is productive of the greateſt ſum of happineſs. It is not abſolutely neceſſary then, to confine our views to the circumſtance of population merely, if the good of the community require other circumſtances to be attended to. And the excluſion of certain claſſes of citizens from the rights of elective franchiſe, ſuppoſing the exiſtence of valid and ſub-

ſtantial reaſons grounded on the general intereſts, is perfectly compatible with the juſteſt ideas of liberty.

The grand axiom of equitable government is this—that as all men are naturally equal, all civil or political inequality muſt reſt on the baſis of public utility. If then any claſs of men be diſqualified, in a moral view, by extreme ignorance, groſs venality, abject dependence, or any other cauſe, from exerciſing the privilege of voting in the elections of thoſe who are to guide and govern the great concerns of the community, they have no more right to complain of the injuſtice or hardſhip of not being permitted to nominate the rulers of the ſtate, than of the injuſtice of not being allowed to rule the ſtate in perſon. On the general principle, that no diſtinction ſhould be made but what is grounded on ſome reaſon, all are entitled to this privilege, excepting thoſe who would exerciſe it in a manner injurious to the ſociety of which they are members, and ultimately therefore to themſelves. But if this exception be admitted as juſt, the plan of univerſal ſuffrage propoſed by ſome viſionary reformers in this country, and openly patronized by a nobleman high in rank and office, the Duke of Richmond, may be conſidered as ſuperſeded and abſorbed in the grand queſtion.—What plan or ſyſtem of repreſentation would, in the actual circumſtances

cumſtances of the country, be productive of the happieſt and moſt beneficial effects?

It muſt be admitted, that in the introduction of any innovation, by way of improvement, into an eſtabliſhed ſyſtem of polity, care ſhould be taken not to deviate farther from antient modes and cuſtoms than the neceſſity of the caſe requires. Therefore to recommend a ſyſtem ſuch as is now adopted in France, ſuppoſing it in theory the moſt perfect hitherto deviſed by the art or wiſdom of man, would not in this country be judicious, becauſe the deviation is greater than is neceſſary to ſecure the end propoſed. The antient diviſion of counties in this kingdom, though ſtrangely unequal, is not attended by any ſenſible inconvenience. We want no new territorial arrangements; and the evils for the prevention of which the intermediate delegation of electors is provided in France, may perhaps be as effectually guarded againſt by precautions better adapted to the opinions and prejudices of Engliſhmen.

Alſo, though population be not the ſole, it muſt be acknowledged the primary principle of repreſentation, to be deviated from no farther than the public welfare may require: and a modification of this principle the public welfare moſt evidently does require. For on the baſis of population only, the county of Middleſex, to-

gether with the metropolis, including more than a million of inhabitants, would be entitled to ſend an hundred members to Parliament. And this great body of delegates being deputed by a claſs of men, reſiding within ſuch narrow limits, would certainly carry with them into the legiſlative body, attachments and prejudices by no means conſiſtent with the public good. A powerful local intereſt would be perpetually oppoſed to the general intereſt; and as the ſame evils, though in an inferior degree, would reſult from the adoption of the ſame abſtract principle in other parts, a combination of local intereſts would in all probability take place in the aſſembly of repreſentatives, by which the general intereſts would be in imminent danger of being overpowered and oppreſſed. By the introduction of local and excluſive privileges, the whole nation would in a ſucceſſion of years be virtually divided into ſeparate communities. Mutual jealouſies and enmities would inevitably ariſe from this ſtate of things; the equity and juſtice of the legiſlative body would be no longer relied upon; no common centre of union would remain, and the fancied abſtract perfection and harmony of this ſyſtem would be productive of real diſcord and practical wretchedneſs. Let then a juſt regard be paid to the other great concomitant principles of contribution and extent of territory,

and the evils reſulting from an excluſive adherence to the principle or baſis of population will be corrected and removed. A large and extenſive province, which contains within itſelf all the different ranks and orders of citizens, though inferior in proportionate population to many ſmaller diſtricts, is much leſs likely to harbour local prejudices, or to be influenced by a regard to local intereſts. Reſpect, therefore, in apportioning the claims of repreſentation, ſhould be paid to extent of territory in that province, as it may be far more ſafely entruſted with the appointment of a larger number of repreſentatives, than a ſmaller diſtrict including within its juriſdiction great and populous towns, which will neceſſarily be actuated by more partial and contracted views.

A regard alſo to the principle of contribution or revenue, as well as extent of territory and population, is highly equitable and juſt. Not that any reſpect is due to the claims of thoſe commercial claſſes of citizens, who pay indeed large ſums into the public exchequer under the denomination of cuſtoms or exciſe; but who are themſelves repaid no doubt with intereſt, by levying proportionable contributions on the conſumers of their commodities. But it muſt be admitted that of two diſtricts equal in point of population and territorial extent, if one really

and without any commercial fallacy contribute in a two or three-fold proportion to the other towards the pecuniary neceſſities of the public, ſome regard ſhould be paid to its relative and ſuperior importance in the ſtate. The degree of attention due to this principle muſt undoubtedly be regulated and reſtrained by that ſupreme regard, which watches with unceaſing ſolicitude over the general welfare. But ſurely the general welfare itſelf is advanced by the advancement of individuals to an higher rank and conſideration in the ſtate, in proportion as they contribute by their ſuperior affluence to the general proſperity.

That theſe reaſonings are in a great degree novel will eaſily be admitted; but that they are therefore the leſs juſt muſt be denied. In the conſtitution of the Roman republic, the two principles or BASES of contribution and population—for territorial repreſentation was not under that conſtitution at all adverted to—were blended or rather comprehended in a manner ſtrikingly ſingular. In the COMITIA CENTURIATA the people voted according to their *cenſus*; ſo that the higher claſſes when unanimous, or even the firſt claſs alone, determined the whole, and with the authority of the ſenate eſtabliſhed a law. In the COMITIA TRIBUTA the votes were equal, and the ſanction of the ſenate not being there requiſite,

requiſite, the lower claſſes of the people gave law to the ſtate. As, however, the real power of this latter aſſembly greatly preponderated, the ariſtocratical competition eſtabliſhed by the conſtitution operated not in fact to the prejudice of the ſtate, but on the contrary ſerved on many occaſions to reſtrain the violence of the democracy. Nevertheleſs it muſt be confeſſed that the ancients, though animated by all the enthuſiaſm of liberty, were very defective theoriſts on the ſcience of government. The conſtitutions both of Rome and Athens were replete with political errors and abſurdities. But what ſyſtem founded on the love of liberty is not infinitely preferable to deſpotiſm? The characteriſtic defect of thoſe celebrated conſtitutions was their incompatibility with the permanence of public order; their characteriſtic excellence was the unbounded ſcope they afforded to every ſpecies of perſonal and intellectual exertion. They were governments in which patriots, heroes and philoſophers, ſeem of indigenous growth.

But it has been plauſibly objected, that the principles or *baſes* of repreſentation now ſtated, allowing the propriety of them, afford no certain *data* on which to eſtabliſh an equal ſyſtem of repreſentation. Any one of theſe principles unconnected with the others, it may be ſaid, affords indeed a baſis on which an accurate calculation may

may be grounded, and a ſyſtem perfectly conſiſtent with itſelf be eſtabliſhed. But by admitting the validity of all, we introduce confuſion and incoherency into the general ſyſtem; the radical poſitions on which it reſts are at everlaſting variance, and there is no criterion by which the juſt modifications of theſe diſcordant and oppoſing principles can be aſcertained, or the reſult of their conjunct force be eſtimated. In anſwer to this objection, it muſt undoubtedly be admitted that this political *rule of three*, this grand complex problem of ſtate, admits neither of arithmetical nor geometrical preciſion. It leaves much, nay in fact it leaves every thing ultimately to judgment and diſcretion, for it founds all political right upon political utility; and that utility muſt itſelf be determined by reaſon and judgment. By the term *equal repreſentation* cannot certainly be intended a repreſentation ſtrictly and literally equal in all reſpects, and in all imaginable points of view, for this is manifeſtly impoſſible. A repreſentation founded on the baſis of equality of population cannot be equal in reſpect to extent of territory and revenue. A repreſentation on the baſis of territorial equality cannot be equal in reſpect of population and riches. And a repreſentation founded on the equality of property cannot be equal in reſpect of population and territory. Mr. Burke might therefore

therefore have ſpared himſelf the pains of adducing ſuch *elaborate proof*, that the repreſentation of France is not perfectly equal in all the various ſenſes of equality. Human wiſdom in this caſe can do no more than combine the different principles of repreſentation in ſuch proportion, as ſhall upon the whole be deemed moſt effectually to ſecure the grand object of repreſentation—the liberty and happineſs of the community.

The principles of action proper for a nation to aſſume are perfectly analogous to thoſe by which the conduct of every reaſonable agent ought to be directed. In all ſituations of moment and difficulty we feel the force and energy of various diſtinct and perhaps oppoſing principles. Our volitions, if rational, are determined by the conjunct force of the ſeveral motives which prudence and wiſdom ſuggeſt. Both in public and private life, we muſt view and review the leading meaſures of our conduct, in connection with all thoſe circumſtances by which they can be materially affected. And after all, we muſt not truſt to any *iſolated* abſtract principle for guidance and direction, but to our own diſcretion, on a general ſurvey of principles as applicable to particular ſituations and circumſtances, without being abſurd enough to expect that the rectitude of our determinations will admit of mathematical demonſtration. There are

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undoubtedly rules of action, both political and moral, which are properly and ſtrictly ſpeaking immutable, becauſe they are manifeſtly founded on the baſis of reaſon and utility. That the great end of government is the happineſs of the people; that the people are entitled to all that liberty which is conſiſtent with happineſs, and all that power which is conſiſtent with liberty, are juſt and incontrovertible maxims of government. But in applying theſe principles to practice, great and unavoidable differences of opinion will unavoidably ariſe, in determining wherein the happineſs of the people really conſiſts, what degree of liberty is conſiſtent with happineſs, and what degree of power with liberty, as diſtinguiſhed from licentiouſneſs. General abſtract truths, however clearly perceived and univerſally acknowledged, will contribute little to the ſolution of practical queſtions like theſe; and our opinions muſt be gradually and are often inſenſibly formed by the compariſon and contemplation of a multiplicity of circumſtances, none of which can pretend to the force of demonſtration, though all contribute to ſtrengthen and confirm the general proof. There is no error more fatal in government, and to which it muſt be confeſſed that many of the preſent race of reformers have ſhewn themſelves dangerouſly prone, than to lay down as axioms certain principles,

ciples, which properly explained and modified cannot perhaps be juſtly controverted; and to inſiſt that theſe principles or axioms ſhould be carried, according to the moſt rigid conſtruction of them, into immediate and univerſal effect, without regard to difference of opinions, habits, ſituations or circumſtances. There is, as Mr. Burke has truly ſaid, a fanaticiſm in politics as well as in religion, and the prevalence of ſuch a ſpirit is no leſs to be dreaded and deprecated in the one than in the other. But if no attempts at reformation either in church or ſtate are to be made till the race of religious and political fanatics is exterminated, the rulers of both, in what degree ſoever they may abuſe their authority, will probably remain unmoleſted for centuries to come on "their thrones and couches of preferment."

Suppoſing, however, the nation entirely convinced of the utility and neceſſity of a reform in the national repreſentation, and that the Parliament ſhould enter ſeriouſly into the conſideration of a ſpecific plan of reform, the firſt ſtep would naturally be, to aſcertain, *all circumſtances conſidered*, the juſt proportion of repreſentatives from each particular county; the next, to determine what places ſhould, conformably to the new regulation, be diveſted of, and what inveſted with the privilege of ſending repreſentatives to Parliament;

liament; and laſtly, to fix the qualification of voters, and the mode of voting. It ſeems equitable and juſt, that one and the ſame rule ſhould pervade the whole kingdom; and that all houſeholders, renting tenements which may be ſuppoſed to place them upon a level with freeholders of forty ſhillings *per annum*, ſhould be admitted to the privilege of voting. The mode of election by ballot would probably be deemed moſt eligible; the election, throughout the kingdom, might, with great eaſe and advantage, begin and cloſe in one day; and the moſt effectual means ought, no doubt, to be adopted, to prevent both canvaſſing and treating in any form. The inconveniences attending frequent re-elections being entirely obviated by this plan, triennial, or even annual elections might, in perfect conſonance with the ſpirit of it, be at the ſame time reſtored. Thus would the order and decorum of elections be preſerved, and the dignity and independency of Parliament permanently ſecured; the aggregate number of electors would be greatly multiplied, and their rights fully and peaceably enjoyed *.

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* The ſyſtem of Repreſentation ſtated in this Tract, is by no means recommended as the beſt which could be deviſed, but as the beſt which the people of England are perhaps able to bear. The plan ſince ſanctioned by the public, and unanimous approbation of the Aſſociation of the Friends of the People,

Under this new arrangement the landed qualification of members, the exclusion of placemen, and the disfranchisement of particular classes of citizens, would become wholly unnecessary.—The people at large would make choice of those whom they deemed most able and willing to serve them. And certainly, it does not follow that a man must become disaffected to the interests of his country, in consequence of his acceptance of an office of honor or profit under the crown. On the contrary, a total exclusion of placemen, and more especially of the great officers of state, from seats in Parliament, would be attended with the most sensible ill effects—as having a direct tendency to establish two separate and hostile interests in the state. The leading men in Parliament, entertaining no hope of attaining to the great offices of state themselves, would exert their utmost influence to render them insignificant and contemptible. The executive power would be gradually transferred to the legislative body; its functions would be exercised by parliamentary committees, and a republican system, crude and indigested indeed, would be insensibly introduced. The monarch would be irritated

People, conformably to which freeholders and householders, in conjunction, elect for the district or county only, to the exclusion and extinction of subordinate municipal rights, is doubtless superior, in all respects, in ease and simplicity, no less than energy and effect.

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by perpetual, and often groundleſs oppoſition. Inſtead of being the conſtitutional guardian and ſupreme executive agent of the community, he would become a political incumbrance, which it would be equally dangerous to caſt off or to retain. Able and popular miniſters of ſtate, who have at the ſame time admiſſion into the cabinet councils of the monarch, and the legiſlative aſſemblies of the nation, and who, by mutual conſent as it were, take the lead in both, form that conſtitutional bond of union between the two grand branches of government, which is neceſſary to maintain order and harmony in the ſtate. But if one ſet of men direct the executive, and another the legiſlative councils, a moſt dangerous rivalſhip will be created: the energy of the executive government will be weakened, and government itſelf expoſed to contempt. Liberty will firſt degenerate into licentiouſneſs, and it will be well if licentiouſneſs does not at laſt terminate in anarchy.

Mr. Burke has, with peculiar abſurdity, ridiculed and traduced the new conſtitution of France, on the ground of its being a metaphyſical ſyſtem; as if it were poſſible to ſeparate metaphyſics from politics. Every wiſe and durable ſyſtem of polity muſt be founded on a comprehenſive and accurate knowledge of the principles of human nature. In other words, it muſt be

be theoretically juſt, in order to be practically beneficial; for the juſtneſs of the theory conſiſts preciſely and ſolely in its tendency to accompliſh its practical purpoſe. Whether every part of the French conſtitution, as eſtabliſhed by the Conſtituent Aſſembly, was indeed conſonant to that philoſophy of the mind, which is all that the obnoxious term metaphyſics denotes, may, I think, be juſtly doubted. Againſt the abuſes and encroachments of the executive power, terrified with the idea of returning deſpotiſm, they oppoſed inſurmountable barriers; they heaped Oſſa upon Olympus, and Pelion upon Oſſa. But againſt the dangerous inroads of democratic caprice, of anger, or ambition, in the legiſlative aſſemblies, the framers of this conſtitution ſeem to have thought no precautions neceſſary; and the monarch was left manifeſtly deſtitute of the means of ſupporting the authority, dignity, and efficiency of the executive government. Such is man, that the love of power, and the deſire of extending and perpetuating it, is inherent in his nature; and therefore, under ſuch a conſtitution as ours, according to the ſagacious remark of Mr. Hume, "the intereſt of the individuals of whom the legiſlature is compoſed, muſt be oppoſed to the collective intereſt of the legiſlative body; naturally and inceſſantly ſeeking for occaſions and opportunities of aggrandizing it-

ſelf at the expence of the executive power, which, unaſſiſted by influence, is in no condition to reſiſt its attacks." The influence of the crown at preſent extends indeed far beyond what is neceſſary to preſerve the balance of the conſtitution; and we do not now complain of a capricious or ambitious reſiſtance to the meaſures of the executive government, but a blind and implicit *confidence* in their rectitude and wiſdom. Under a ſyſtem of efficient and general reform, a great and countleſs catalogue of ſuperfluous offices and ſinecures would be doubtleſs aboliſhed. And of thoſe which are really neceſſary, the crown might be ſafely entruſted with the unreſerved diſpoſal. And certainly, we muſt acknowledge, that the authority of the crown might be as well, and the ſplendor of the crown much better ſuſtained, at an expence incomparably leſs, if we conſider how large a portion of the civil liſt revenue is appropriated to the payment of the ſalaries of ſuch as contribute nothing either to the one or the other. Since the eſtabliſhment of a free conſtitution in this country, the attention of the legiſlature has been far too much engaged in the diſcuſſion and contemplation of foreign concerns. Were the limits of the Britiſh empire commenſurate merely with the limits of the Britiſh iſlands, as at the acceſſion of the Houſe of Stuart, it is probable, or rather it is morally certain,

certain, that no real loſs would be ſuſtained. That the extenſion of territory is a thing very different from the extenſion of power, Spain at this day, compared with what Spain formerly was, preſents a ſtriking and inſtructive inſtance. Could foreign commerce be ſecured without foreign dominion, it were folly to retain a ſingle detached poſſeſſion. And if the undivided attention, and entire reſources of the nation, were appropriated to purpoſes of national improvement, what a proſpect of happineſs and proſperity would be diſcloſed!

Let us for a moment imagine, that only half of the millions expended in a diſgraceful and fruitleſs attempt to ſubjugate America had been employed in national improvements and embelliſhments, what paradiſaical ſcenes might England at this time have exhibited! Can we not figure an Arcadian age reſtored, and "the ſublime dreams of PIRANESI realized?" In lieu of the enormous and incredible ſums raiſed on the people of this country ſince the acceſſion of the preſent family, and more eſpecially of the preſent ſovereign to the throne of Great Britain, in ſupport of a continual ſucceſſion of wars, as if men created only for mutual deſtruction were eager to fill up the meaſure of their own miſeries, how infinitely more worthy of rational beings were it to employ ſome ſmall proportion at leaſt of the national riches in

the various modes ſo beautifully enumerated by the poet:

——— Make falling arts your care,
Erect new wonders and the old repair:
Bid harbours open, public ways extend,
Bid temples worthier of the God aſcend;
Bid the broad arch the dangerous flood contain;
The mole projected break the roaring main.
Back to his bounds the ſubject-ſea command,
And roll obedient rivers thro' the land.

Epist. to L. Burlington.

The revenues of a nation, when appropriated to works of national benefit or magnificence, may be compared to moiſture exhaled by the ſun from the earth, and falling again in rich and refreſhing ſhowers. It is impoſſible to conceive to what heights of felicity and ſplendor a country like this might ariſe, were the aſtoniſhing reſources of which it is poſſeſſed devoted with fidelity and wiſdom to purpoſes of real and public utility. Under ſuch a ſtate of things, a perpetual and noble emulation of art and induſtry would be excited. Riches would accumulate with accelerated rapidity. All the agreeable and pleaſant accommodations of life would be far more generally diffuſed. Under a favorable and propitious influence, the intellectual faculties would open and expand; the human mind would become more vigorous and enlightened; the meaneſt

meaneſt claſſes of citizens would enjoy the bleſſings of liberty, and feel themſelves deſerving of it; and all would look up with grateful veneration to the government from which they derived theſe enjoyments. Let us conſider what Attica, in magnitude ſcarcely equal to an Engliſh county, once was, and then let us pronounce, if we can, what England might in time be. There is in the nature of man an inextinguiſhable principle of activity delighting in the vigor of its own exertions; and productive either of the happieſt or the moſt pernicious effects as it is ill or well directed. Were the love of our country and of mankind in general to become, by a ſyſtematic and diligent culture, the ruling paſſion of the mind, how would that principle be ennobled, and combined with knowledge and wiſdom how beneficially muſt it operate, and how extenſive would be its influence! The civil and political advantages we at preſent poſſeſs are, indeed, in a compariſon with the wretched governments of the ſurrounding countries, very great, and ought not to be lightly depreciated. But though the idea of ſeeking any eventual increaſe of public liberty and happineſs, by involving the community in ſcenes of contention and violence, is to be held in abhorrence, yet there is no juſt reaſon for concealing a firm and well-grounded perſuaſion that the preſent ſyſtem is liable to great and

obvious exceptions; nor can it be imputed as matter of blame to any one to propoſe ſuch meaſures as he deems conducive to purpoſes of national benefit. On the contrary, it is the incumbent duty of every good citizen to promote to the utmoſt of his power, and in every mode conſiſtent with the eſtabliſhed laws and conſtitution of his country, and in contempt of that cenſure and obloquy which he muſt expect to encounter, thoſe INNOVATIONS which, upon a deliberate and impartial examination, he conceives to be real and neceſſary IMPROVEMENTS.

ESSAY

ESSAY XXVIII.

REMARKS ON THE BILL FOR THE BETTER SUPPORT AND MANAGEMENT OF THE POOR.

THE actual ſtate of the poor in this kingdom is ſuch as muſt neceſſarily excite the ſerious and, in all probability, the permanent attention of the legiſlature. The fatal and melancholy truth is too apparent to be denied, that for a long ſucceſſion of years they have been gradually ſinking deeper and deeper into the abyſs of poverty and wretchedneſs. And it is a fact attended with this extraordinary circumſtance, that the nation or what, in the phraſeology of politicians, paſſes for ſuch, has been during the ſame period invariably increaſing, as we are told with triumphant boaſts, in riches, ſplendor, and proſperity. Our revenues have never been ſo great, our fleets and armies never ſo numerous and powerful, our birth-night balls, our galas and feſtinos never ſo crowded and brilliant. But is the grand end of govern. ment anſwered? Is the general happineſs the reſult of this ſyſtem? Aſſuredly not. We ſee every where around us a ſhocking and monſtrous con-

traſt of ſuperfluity and want, of pomp and poverty, of magnificence and miſery. To what cauſes this ſtate of things ſo oppoſite to that which every good government muſt wiſh, and every juſt government require, is to be attributed, though by no means foreign to the ſubject, would lead into too wide a field of diſcuſſion. The more immediate and preſſing object of enquiry is, to aſcertain the moſt effectual remedy, or at leaſt the beſt palliation of the exiſting evil.

Various plans have been propoſed both in and out of Parliament for ſeveral years paſt with this laudable view; but none ſo unobjectionable as to meet with general and decided approbation. But the diſtreſſes of the poor having in conſequence of the ſudden and enormous riſe in the prices of meat and bread-corn, in the year 1795, increaſed to a moſt alarming degree, a propoſition of a nature highly intereſting and important was, in the courſe of the enſuing winter, brought forward in the Houſe of Commons by a member of diſtinguiſhed talents and extenſive benevolence, Mr. Whitbread, for a law to enable the magiſtrates in the different counties to fix the *minimum* of the price of labor. This was ſtrongly oppoſed by Mr. Pitt, who in a ſpeech of great eloquence expatiated on the numerous imperfections and defects of the preſent code of poor's laws, and pledged himſelf at a future time to bring a Bill into Parliament for the eſtabliſh-

eſtabliſhment of a more rational and beneficial ſyſtem.

This period is arrived, and a plan framed by the miniſter is now before the Houſe for parliamentary and public diſcuſſion. And as eloquence, though it may be the means of *perſuading men to believe* a meaſure juſt and neceſſary, wiſe and good, cannot contribute a jot or tittle towards making it ſuch, this project of Mr. Pitt ought, and from a calm obſerver, muſt expect to undergo as ſtrict and rigorous an inveſtigation, as if the framer of the plan were, in no higher a degree than any other member of the Houſe, graced with the power of words to embelliſh and adorn it.

The firſt and moſt ſtriking objection to Mr. Pitt's plan is, that inſtead of ſimplifying a ſyſtem already too complex, it makes, by engrafting a heap of new upon the exiſting ſtock of old proviſions, the entire aggregate or code of poor's laws infinitely more operoſe, confuſed and intricate than before. On inſpecting into this Bill of Mr. Pitt, we find, amongſt other novelties, mention of parochial funds, ſchools of induſtry, county diſtricts, viſitors of the poor, juſtices of diſtricts, guardians of the poor, wardens of the poor, &c. &c. in addition to what the laws now require; all which implies an artificial arrangement and complication of means for the attainment

ment of a certain and definite end. This end, therefore, is not to be attained without conſtant and habitual attention, vigilance and aſſiduity. But from whom is all this care and attention to be expected, or of whom exacted? The generality of perſons have buſineſs of their own, and amuſements and occupations of their own, the frequent or habitual interruption of which cauſes often inconvenience, always impatience. It is not eaſy to convene at all times a ſufficient number of perſons to tranſact the moſt urgent public buſineſs, and leaſt of all buſineſs relative to the poor, which is univerſally conſidered as beyond all other matters of public concern irkſome and diſagreeable. It may well be queſtioned whether it would be even poſſible, in the face of theſe obſtacles, to carry Mr. Pitt's Bill into execution. It does not appear that the perſons appointed to execute it are either to be rewarded for their care, or puniſhed for their neglect. It were uſeleſs, therefore, to point out the abſurdity of ſuch ſanctions. What is not in ſuch caſes done voluntarily, will never be done effectually or beneficially. In fine, a ſyſtem with or without theſe ſanctions, of ſuch extent, intricacy and magnitude, is chargeable with the radical and fundamental fault of governing too much—the greateſt and moſt frequent of all the faults incident to thoſe in whom the power of government

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is veſted. If no profit or emolument is annexed to the exerciſe of the duties enjoined, it muſt inevitably ſink into languor and imbecility, and by an eaſy tranſition into contempt; if otherwiſe, into cabal and corruption—or to make uſe of a term but too well underſtood *into a* JOB. Let us now proceed to the examination of thoſe ſpecific clauſes of the Bill which are moſt material and important.

Preſuming that the words, p. 8, clauſe 12, "In caſe no ſuch agreement ſhall be entered into, then every ſuch pariſh *ſhall be bound ſingly* to maintain a ſchool or ſchools of induſtry, &c." are to be limited by the reſtrictive regulation in the former part, rendering the conſent of the majority poſſeſſing alſo the preponderance of property neceſſary to every ſuch eſtabliſhment, the general idea ſeems very laudable and judicious. But the whole apparatus or *machinery* of viſitors, guardians, wardens, and juſtices of diſtricts, is here evidently ſuperfluous. Thoſe who are at the expence of erecting and maintaining the ſchool are the proper perſons to ſuperintend it; and the apprehenſion of the impertinent or authoritative intruſion of ſtrangers would only operate as a bar to its eſtabliſhment. Pariſhes might be empowered to unite to raiſe money, and to elect ſuperintendants or *directors* by a cheap and ſimple form, without ſubjecting them

to

to ſo odious and uſeleſs an incumbrance. Suppoſing the pariſhioners endowed with common ſenſe, they would doubtleſs make choice of ſuch perſons for the management of the ſchools as were qualified for the taſk, and the pariſhes employing them would be intereſted in exacting the performance of the duty. But compulſion ſhould in this, as in all other reſpects, be as much as poſſible avoided. The Bill in queſtion, by a moſt miſtaken and oppreſſive policy, enacts, that the poor on the eſtabliſhment of ſuch ſchools ſhall be obliged on notice given to ſend, or in the ſoft and deceitful words of the Act, "*ſhall permit, on requeſt made in purſuance of the Act*, their children to be received into ſuch ſchools of induſtry; the earnings of ſuch children to go in aid of the fund for ſupporting the ſchools; except ſuch proportion as the juſtice of the diſtrict ſhall think proper to allot to the parents—otherwiſe the poor who refuſe compliance ſhall not be entitled to any relief from the pariſh."

Surely many poor perſons, and particularly the moſt decent, orderly, and induſtrious of the poor, may have juſt and valid reaſons for chooſing to educate their children at home, in preference to ſending them to the promiſcuous and dangerous ſociety of a ſchool of induſtry! And is this to be converted into a plea for excluding them from all relief and benefit from the general

ſyſtem

fyſtem of poor's laws? In the name of humanity and juſtice, let not an Act intended for the advantage of the poor be thus perverted to the purpoſes of injury and oppreſſion. If the ſchools of induſtry are likely to anſwer the ends in view, there is not a doubt but the poor will generally and gladly embrace the propoſals thus liberally made to them. But if they were in other reſpects ever ſo eligible, compulſion would make them hateful; and at all events the poor ought to be left at full liberty to judge, on a review of their own ſituation and circumſtances, of the benefit or propriety of ſuch acceptance. Nor can any human authority poſſeſs a legitimate right to transform them into mere paſſive machines, to be moved only at the will and pleaſure of a ſet of petty deſpots ſuddenly ſtarting into exiſtence, and calling themſelves Wardens, Viſitors and Guardians. But as the poor ought not to be compelled to ſend their children, ſo on the other hand the pariſhes ought not to be compelled to receive them into the ſchools or houſes of induſtry. For if the charge of maintenance and education is to be borne by the pariſh, and the parents to be entirely exonerated, the probability, nay the certainty is, that many more applications for admiſſion will be made than can or ought to be complied with. If parents are in a ſituation to bring up their families decently and com-

comfortably, they ought to do ſo without throwing the charge of education upon the public; for it is the vaineſt and moſt futile of expectations that the earnings of a ſchool or houſe of induſtry, under the beſt and ableſt management, will ſuffice or nearly ſuffice to cover the expence. A houſe or ſchool of induſtry, in any rational or intelligible conſtruction, is nothing more or leſs than the workhouſe deſcribed in the exiſting ſtatutes; *i. e.* a place where the infirm are to be ſupported, the idle employed, and the refractory to be corrected. By empowering and encouraging pariſhes to unite, a very material objection to the few and ſimple proviſions of the juſtly celebrated and ſalutary law of the 43d Eliz. as ſtated by Judge Blackſtone, is removed, *viz.* that the parochial diviſions of the kingdom are for the moſt part too narrow and confined, to admit of its being carried into execution in a manner conſonant to the ſpirit of the ſtatute.

Excluſive of this grand project for the erection and eſtabliſhment of ſchools of induſtry throughout the kingdom, the Bill contains ſeveral remarkable clauſes requiring ſeparate and diſtinct conſideration. The firſt of theſe, p. 2, enacts, "That any father entitled to the benefit of the Act having more than two children, or widow more than one child, unable to maintain themſelves, ſhall be allowed from the pariſh or

united parifhes in which he or fhe may refide, a fum not lefs than one fhilling for each child beyond the number fpecified, fo long as fuch child or children fhall remain part of the family of the father or mother." This is in effect to fettle a penfion by law upon almoft every poor family in the kingdom, payable out of the parifh rates. A wretched expedient indeed! evidently tending to the deftruction of the fmall remains of induftry, fobriety and œconomy ftill left among the lower claffes of the people. There are thoufands of laboring and manufacturing poor who are, even in thefe times, well able to maintain numerous families on the produce of their weekly earnings, who have no claim whatever to fuch an extravagant donation as this, and to many of whom it would only prove an additional incentive to idlenefs and drunkennefs. If there are thofe, and too true it is there are, who toil and labour in vain to fupply themfelves and families with the indifpenfable neceffaries, and a fmall fhare of the comforts of life, the obvious and only effectual remedy is to raife the price of their labour, and fix by legal authority the *minimum* of their wages. The *maximum* is already in innumerable inftances eftablifhed, though of this there is in the nature of the thing far lefs need. For it muft at all times be infinitely more eafy for the rich to defend themfelves againft the com-

combinations of the poor, than for the poor to reſiſt the combinations of the rich. To attempt by any regular or ſyſtematic plan of agreement to raiſe the price of labor is criminal in the poor, but to depreſs and depreciate the value of their labor is not only lawful, but as it ſhould almoſt ſeem laudable in the powerful and the rich. The laborer is worthy of his hire; and to make up the deficiency of ſhort and ſcanty wages by a miſerable weekly gratuity, is to ſubſtitute the ſhew of generoſity for the ſubſtance of juſtice. Thoſe who employ the laborer or the artizan ought to pay them an equitable compenſation for their labor; and to throw the expence of maintaining them and their families upon any other claſs of perſons than thoſe who receive the benefit of their labor, is the groſſeſt impolicy, the moſt flagrant injuſtice. It is only in extraordinary caſes, when the laboring poor are thrown out of employment, or when illneſs and infirmity render them incapable of labor, that they have a legitimate claim upon the public at large for their protection and ſupport.

The Bill goes on to enact, that any poor perſon not able to earn the full rate or wages uſually given, and whoſe earnings ſhall be inſufficient for the maintenance of his family, ſhall be entitled to receive, or, in the ambiguous words of the Act, "*it ſhall be lawful to allow him*," from the

the pariſh rates, a ſum equal to the deficiency. This is either a moſt fallacious, or a moſt pernicious regulation. Upon the preſent ſyſtem, if a family with their joint and utmoſt exertions cannot provide for their own ſupport, they muſt of courſe make application to the pariſh for relief, and relief muſt of courſe be granted. But if the clauſe has any meaning, and relief is to be granted in the mode and to the extent ſpecified in the Bill, this abſurd and prepoſterous conſequence will follow, that the man who can earn ten ſhillings, and the man who can earn only five ſhillings per week, will be placed exactly upon a level. All motive and incitement to exertion will therefore be at an end. Man is naturally averſe to labor, and when the loweſt degree of labor is to be rewarded equally with the higheſt, every man will be tempted to feign excuſes and pretences in order to evade the exertion, without ſuffering a diminution of the profit. In a ſtate of poverty there are, and there ought to be, many gradations and ſhades of difference. Thoſe who labour moſt and beſt, are, in the nature of things, entitled to more of the comforts and conveniences of life, than thoſe who are either unable or unwilling to work with equal diligence or equal ſkill. An attempt to invert, or pervert this order of things, by any artificial arrangement, would argue great ignorance of

human life and of human nature. It ſhould be the object of political regulation, to excite the ſpirit of induſtry, by ſecuring to thoſe who exert themſelves with moſt ardor and ſucceſs that ſhare of the comforts of life which is proportionate to their labor; at the ſame time adopting effectual meaſures to avert from thoſe, who are willing but not able to make the ſame exertions, the miſeries of extreme and unaided poverty. As the principle on which the above clauſes are founded is eſſentially wrong, it is ſcarcely worth while to remark, that the order reſpecting the re-imburſement of the ſums advanced to perſons reſident in pariſhes, of which they are not legal inhabitants, would give riſe to endleſs diſputes and litigations.

The clauſe immediately following enacts, "That if it ſhall appear that any perſon wanting relief from the pariſh, would be enabled by the advance of money to purchaſe a cow, &c. to maintain himſelf and family, it ſhall be lawful to order the payment of ſuch money in advance, &c." If this is meant to be left to the diſcretion of a parochial meeting, the clauſe is wholly redundant and nugatory. They already poſſeſs the power. But never did it yet enter into the imagination of any rational perſons, *ſharing the eventual riſque*, to advance money for the purchaſe of a cow to a pauper applying for parochial relief. If indeed the order is to be made by the

viſitors, guardians, or juſtices of diſtrict, who are not parties intereſted, it will probably be done with little concern or conſideration, and they will have no objection to acquire for themſelves, at ſo cheap a rate, the reputation of humanity and generoſity. But to inveſt one ſet of people with a power of putting their hands at pleaſure into the pockets of another ſet of people, is ſurely a ſpecies of authority too invidious and arbitrary to be lightly or capriciouſly granted.

The next enactment is a wiſe and humane proviſion, that no perſon ſhall be excluded from parochial relief, &c. on account of their poſſeſſing property real or perſonal, not exceeding thirty pounds. It were only to be wiſhed that this blank had been filled up with the word fifty inſtead of thirty.

The only remaining regulation of importance, not as yet touched upon, is that which reſpects the eſtabliſhment of parochial funds. This under proper limitations, and with the neceſſary modifications, would unqueſtionably be a moſt excellent and beneficial inſtitution: and the ſuggeſtion of ſuch an eſtabliſhment, as well as various other clauſes and provſions of this Bill, diſcover a real and earneſt deſire to reform and improve the ſtate of the poor, though blended with principles eſſentially and radically erroneous. The abſurd and pernicious idea of penſioning the

poor was originally ſuggeſted by T. Paine; and the whole plan conſidered collectively is remarkably crude and indigeſted, little if at all ſuperior to that of Mr. Gilbert, ſo juſtly and unanimouſly rejected by the Houſe of Commons ſome years ſince, and from which it is indeed in great part borrowed. However laudable certain ſpecific proviſions of the Bill as a connected ſyſtem, it is an aggregate of miſchief and abſurdity. To accompliſh the purpoſe of it, deſerves and demands the unremitted exertions of political wiſdom. "The general happineſs of a country," ſays a late excellent writer, "depends much more on the ſtate of the lower orders than is commonly imagined. Not only the character and morals of the lower orders, but the general national character are affected by it. The wretchedneſs reſulting from extreme poverty has a direct tendency to debaſe the human character.* Energy of mind, active bodily induſtry, and thoſe continued exertions of both which ſo much improve intellect, promote health, and conſtitute happineſs, cannot be expected in beings who are without hope, and who are not acted upon by the *ſtimulus* of adequate reward. A familiarity with

* Magnum pauperies opprobrium jubet
Quidvis et facere et pati
Virtutiſque viam deſerit arduæ.
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this kind of wretchedneſs has alſo an injurious effect on the minds of the higher orders. Some of the beſt principles of human nature are loſt, and ſome of the fineſt feelings of man blunted by too frequent ſights of miſery. Benevolence, that principle which of all others moſt exalts our nature, is almoſt extinguiſhed in countries where large claſſes exhibit a conſtant appearance of wretchedneſs. The relief of large numbers exceeds the limits of private ability; and the inability to do ſo much as is required, operates with too many as a ready excuſe for doing nothing at all. Were inſtances of miſery leſs frequent, the impreſſion made by them would be ſtronger: their too frequent recurrence begets an inſenſibility, their magnitude placing them above the reach of private individuals to remedy. This begets a neceſſity for national benevolence. NATIONAL BENEVOLENCE! The very term is a prepoſterous abſurdity. It is charity without its principle, the neceſſity for it implying national injuſtice. A nation is not to relieve the diſtreſſes of the poor by acts of charity; it ought to prevent their exiſtence by acts of juſtice. The wretchedneſs of the lower orders in all countries is principally produced by the errors and defects of government. Arbitrary governments have the moſt immediate tendency to produce it; but all other governments which admit of a continued

increaſe of expenditure indirectly promote it; and even the beſt *form of government*, by errors in its adminiſtration, may participate in the evils of the worſt*."

If it be now aſked, what is the nature of that plan which ought to be ſubſtituted in lieu of the ſyſtem thus cenſured and condemned, it would argue a want of fairneſs and candor rather than an exceſs of diffidence, to ſcruple the avowal of opinions which are the reſult of attentive obſervation, combined with no very limited degree of experience, and knowledge painfully acquired.

1ſt. The grand and fundamental defect of the ſyſtem of poor's laws, promulgated in the reign of Elizabeth, and in general ſo excellent, is this, that every pariſh is compelled to ſupport, not its reſident poor, but merely *thoſe who belong to it*, or who in a legal and limited ſenſe are *inhabitants thereof*; ſo that in each pariſh there are thoſe who have no claim upon the pariſh for ſupport; and on the other, there are thoſe who, dwelling at the diſtance of fifty, one hundred, or two hundred miles, poſſeſs that claim in law which in the view of reaſon and common ſenſe belongs only to thoſe who are actually reſident. This has been the inexhauſtible and everlaſting ſource of vexation, perſecution, and litigation.

* Vide the periodical work, ſtiled the CABINET, by a Society of Gentlemen at Norwich.

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All the parifhes in England, and even thofe included within the limits of the fame town, have been placed by it in a ftate of perpetual diftruft, enmity and hoftility. Withdrawment from the place of their legal habitation has been regarded as a fort of crime in the poor. They have been in innumerable inftances fent back with moft unfeeling cruelty, in circumftances of the deepeft diftrefs. Thefe ORDERS of REMOVAL, for the moft part founded upon dark and doubtful grounds of evidence, have given rife to a multiplicity of law fuits, carried on at a vaft expence and with implacable and incredible animofity. The decifions of the courts at Weftminfter on thefe caufes have given birth to what is called *the Law of Settlement*, a branch of Engliſh jurifprudence to the laft degree confufed, inconfiftent and intricate. The poor have been fufferers, the public have been fufferers, the LAWYERS only have been the gainers by this ftate of things. For how can they conſult the intereſt, if not the credit of the profeffion, more effectually, than by firft laying it down as a general principle, that reſidency ſhall not conſtitute inhabitancy, and then employing their ingenuity in deviſing a thouſand diſputatious modes by which this obnoxious principle may be evaded or ſuperſeded? Something indeed has been done, and ſomething conſiderable, towards a reform of the exiſting

ſyſtem, by the excellent Bill of Mr. Eaſt, himſelf, to the honor of the profeſſion, a lawyer, for the prevention of vexatious removals; but this is merely a palliative, and the radical remedy, which can be no other than the admiſſion of the principle, that reſidency, after a certain limited term, ſhall conſtitute inhabitancy, ſtill remains a *deſideratum* earneſtly to be ſought.

2dly, The ſecond proviſion or regulation for the relief of the poor, in point of importance, is the eſtabliſhment of parochial funds on the general principles laid down in Mr. Pitt's Bill. As there ſeems to be no difference of opinion with reſpect to the utility and beneficial tendency of theſe aſſociations, it is not neceſſary to enlarge on this head.

3dly, The next meaſure to be recommended, is the total exemption of the laboring poor from the burden of the parochial rates or poor's tax. It ſeems abſurd and monſtrous to compel thoſe to contribute to the ſupport of others who are ſcarcely able to ſupport themſelves. And no one who is not converſant in theſe matters can conceive or imagine how ſerious and important a ſum two or three ſhillings, the common amount of a parochial rate to a cottager, is to a poor family, whoſe weekly earnings but barely ſuffice to procure for them the common neceſſaries of life. After all, the proportion paid by this claſs of

of the community to the poor's rates, is but a mere trifle compared with the aggregate ſum; and the additional burden to be borne in conſequence of this regulation by the higher claſſes would be ſcarcely felt, while the relief given by it to the lower would excite the moſt lively and grateful impreſſion, and afford a moſt ſenſible alleviation of their diſtreſs.

4thly, It ſeems highly expedient, though this is a matter of acknowledged delicacy and difficulty, that in certain circumſtances, and under proper limitations, the magiſtrates of each county ſhould be inveſted with a power to fix the *minimum*, as in many caſes they are now authorized to fix the *maximum*, of the price or value of labor.

5thly, It would be productive of the happieſt effects, if *premiums* were offered in a mode eaſy to be deviſed and actually practiſed in particular inſtances by patriotic individuals, for the encouragement of induſtry, œconomy and ſobriety; and yet farther, if a fund were ſet apart in every county for the conſolation of indigence and wretchedneſs, by building cottages in villages, or open waſtes, with ſmall orchards or gardens annexed, to be let at very low reſerved rents, by way of reward to the moſt meritorious and induſtrious of the poor.

6thly, The idea ſuggeſted in Mr. Pitt's Bill, page 3, well deſerves to be incorporated into every comprehenſive plan of relief and reform, viz.

viz. that no perſon ſhould be excluded from parochial relief who may otherwiſe have a juſt claim to it, merely becauſe they are poſſeſſed of a little property, real or perſonal, to the amount of thirty, forty, or fifty pounds. And the preſent practice of refuſing relief to ſuch perſons has the very worſt tendency, by operating as a permanent and ſyſtematic diſcouragement to the acquiſition of property by the poor in a courſe of induſtry and œconomy.

It is the characteriſtic of theſe regulations, and ſurely no inconſiderable recommendation of them, that they require neither viſitors, guardians, wardens, or juſtices of diſtricts, to carry them into execution. They are plain, eaſy, and intelligible to all; affording, it may be ſafely affirmed, far more effectual relief to the poor, than the plan of Mr. Pitt, at far leſs expence to the public. They tend to the elucidation and ſimplification of a ſyſtem allowed to be even in its preſent ſtate much too complex. But ſuppoſing Mr. Pitt's multifarious proviſions and regulations engrafted upon it, the whole plan of management would be rendered ſo operoſe, intricate, and embarraſſing, that in the very criſis of completion, or in the alchymical phraſe, of projection, it muſt neceſſarily fall into chaotic confuſion, utterly unable to ſuſtain the elemental ſhock of its incipient movements.

ESSAY

ESSAY XXIX.

ON THE CHARACTER AND WRITINGS OF ST. EVREMOND.

"RENOUNCE St. Evremond, and read St. Paul," ſays a celebrated Chriſtian divine and poet; but a leſs rigid morality will allow, that St. Paul may be read to very good purpoſe without renouncing St. Evremond. There are many authors who, without directly intending, or perhaps without being even conſcious of it, delineate in their writings the features of their own character in colours ſo lively, that it is impoſſible not to regard them with the ſame ſentiments of partiality or diſlike as uſually reſult from a perſonal and intimate acquaintance. The character of St. Evremond viewed through this medium appears in a light peculiarly intereſting and amiable: and the favorable impreſſion made by a peruſal of his works, is confirmed by all the traditional and biographical accounts remaining of this accompliſhed Frenchman. He was a man of excellent capacity, intimately acquainted with the world, and perfectly converſant with the ſecret ſprings of human conduct, as they vi-

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brate in unifon with the movements of the heart. He was the man of faſhion, the man of wit, and the man of pleaſure; but as his love of pleaſure was regulated by a refined taſte and cultivated underſtanding, it never betrayed him into any diſgraceful exceſſes: and he preſerved his gaiety of temper, and vigor of intellect, unimpaired to the age of ninety; paſſing his days in a delightful kind of philoſophic indolence, not leſs beloved for the virtues of his heart, than admired for the charms of his wit and converſation. His libertine principles reſpecting religion are well known. Educated in the boſom of the Romiſh church, his ſuperior diſcernment enabled him, with little effort, to emancipate himſelf from vulgar prejudices, and to reject, without heſitation, that enormous maſs of abſurdity and ſuperſtition which aſſumes the appellation of the Catholic faith. Unhappily he appears, like the majority of infidels in Romiſh countries, to have taken it for granted, that the doctrines of Popery were the genuine doctrines of Chriſtianity: or at leaſt they preſume, that Chriſtianity muſt be in part chargeable with thoſe abſurdities which ſo juſtly excite their ridicule and contempt, and therefore they think it ſuperfluous to examine into the evidences of it.

With reſpect to the principles of natural religion, St. Evremond is far from denying their reality

reality and importance; but he doubts, as every philoſopher who is ingenuous and impartial muſt be conſtrained to do, of the ſtrength and ſufficiency of the evidence by which they are ſupported. "Jamais homme," ſays he, "n'a été bien perſuadé par ſa raiſon ou que l'ame fut certainement immortelle, ou qu'elle s'anéantît effectivement avec le corps. On ne doute point que Socrate n'ait crû l'immortalité de l'ame; ſon hiſtoire le dit & les ſentiments que Platon attribuë ſemble nous en aſſûrer. Mais Socrate ne nous en aſſûre par lui-meme; car quand il eſt devant ſes juges il en parle comme un homme qui la ſouhaite, & traite l'anéantiſſement comme un philoſophe qui ne la craint point.—Qu'a fait Deſcartes par ſa demonſtration prètenduë d'une ſubſtance purément ſpirituelle, d'une ſubſtance qui doit penſer éternellement? Qu'a-t'il fait par des ſpéculations ſi épurées? Il a fait croire que la religion ne le perſuadoit pas, ſans pouvoir perſuader ni lui ni les autres par les raiſons."

St. Evremond has been frequently ſtiled a ſuperficial writer; and his biographers, Sylveſtre and Des Maizeaux, have given ſome countenance to the accuſation by their own acknowledgment. "Il n'avoit pas," ſay they, "un grand ſavoir.—En liſant il s'attachoit plus a etudier le genie, & le charactere d'un auteur qu'a charger ſa memoire d'une erudition faſtueuſe & ſouvent

ſouvent inutile." But nothing can properly be ſtiled ſuperficial which diſcovers juſt and comprehenſive views of a ſubject; though it may not ſuit the writer's purpoſe or inclination to compoſe an elaborate diſſertation, or to enter much into detail. His "Reflexions ſur les divers Genies du Peuple Romains, dans les divers Tems de la Republique," are written in the true ſpirit of philoſophy; they are bold, ſagacious, and juſt. His moral eſſays are highly pleaſing, and abound with obſervations which diſcover uncommon genius and penetration: and his criticiſms are truly claſſical and judicious. In his remarks upon Racine's tragedy of Alexander the Great, he ſcruples not to place that elegant poet, whom he nevertheleſs applauds with warmth and feeling, far below the level of the great Corneille; a point at that time much conteſted, though the ſuperiority of the latter is at preſent univerſally acknowledged. M. de Corneille, conſcious of the juſtice of his own claim, and gratified with the praiſes of ſo diſtinguiſhed a judge, wrote a letter upon the occaſion to M. de St. Evremond, in which, with a dignified pride, he expreſſes his firm aſſurance, that though his reputation ſuffered a temporary injury from the attacks of ignorance and detraction, he ſhould receive from poſterity complete and ample juſtice. "Vous m'honorez," ſays this cele-

celebrated genius, " de vôtre eſtime en un tems où il ſemble qu'il y ait un parti fait pour ne m'en laiſſer aucune. Vous me conſoléz glorieuſement de la délicateſſe de nôtre ſiécle, quand vous daignez m'attribuer le bon goût de l'antiquité. Je vous avouë après cela, que je penſe avoir quelque droit de traiter de ridicules ces vains trophées qu'on établit ſur le débris imaginaire des miens: & de regarder avec pitié ces opiniâtres entêtements qu'on avoit pour les anciens héros refondus a notre mode." The reply of St. Evremond is not a little remarkable. " Je vous puis repondre que jamais réputation n'a été ſi bien établie que la vôtre en Angleterre & en Hollande. Les Anglois aſſez diſpoſés naturellement à eſtimer ce que leur appartient renoncent à cette opinion ſouvent bien fondée, & croyent faire honneur à leur Ben Jonſon de le nommer Le Corneille D'Angleterre." Was Shakeſpeare, then, the boaſt and glory of the drama, the ornament not of England only, but the pride of all nature—was that mighty and tranſcendent genius not deemed worthy even of mention upon this occaſion? And the cold, the formal, the pedantic Jonſon, whoſe dramatic merit lay wholly in the oppoſite walk, to be ſingled out as the champion of our tragic fame, to enter the liſts of genius againſt the illuſtrious Corneille? The preference given by the nation in general, during

ing a great part of the laſt century, to Ben Jonſon, as well as his celebrated co-temporaries, Beaumont and Fletcher, with reſpect to a writer ſo prodigiouſly ſuperior not only to them, but to every dramatic genius which the world ever ſaw, is a curious literary phenomenon; eſpecially as the taſte and judgment of the public had certainly, upon the whole, made a conſiderable advance to maturity ſince the age of Elizabeth, when the dramas of Shakeſpeare excited univerſal delight and admiration. As to St. Evremond, it may be well queſtioned whether he had even read the works of Shakeſpeare at the time this letter was written. He appears, indeed, to have entertained no very high idea of the merit of the Engliſh writers; and it muſt be acknowledged, that France, at this brilliant period of the reign of Louis XIV. had made far greater advances in almoſt every department of taſte and literature, than the ſurrounding nations; and that England in particular followed her with ſlow and unequal ſteps.

Notwithſtanding the favorable reception St. Evremond met with in this kingdom, and the flattering attention paid to him by perſons of the moſt diſtinguiſhed rank, he ſighed in ſecret at the recollection that he was a baniſhed man; and the great object of his life, for many years, was to obtain permiſſion to return to his beloved coun-

try. England, during almoſt the whole period of St. Evremond's reſidence here, was immerſed in politics. While the great queſtions of liberty and religion agitated the nation, both of which St. Evremond regarded with cold indifference, little leiſure as well as inclination remained for the cultivation of the fine arts or the *belles lettres*; and St. Evremond, amidſt the noiſe and fury of contending factions, languiſhed for the ſerenity, the elegance and urbanity of Paris. At length, however, he ſeems to have reconciled himſelf in a great meaſure to the manners and diſpoſition of the people amongſt whom he had ſo long reſided: and when the royal permiſſion was at laſt granted to this illuſtrious exile, after he had long ceaſed his ſolicitations to end his days in his native land, he refuſed with becoming dignity to accept the offered pardon. He replied to the Comte de Grammont, through the medium of whom the pardon was notified, ſays M. de Maizeaux, "qu'il étoit trop vieux pour le tranſplanter; que d'ailleurs il aimoit mieux reſter par choix à Londres, ou il étoit connu de ce qu'il y avoit d'honnêtes gens; où l'on étoit accoûtumé a ſa loupe & à ſes cheveux blancs, à ſes manieres & à ſon tour d'eſprit que de retourner en France où il avoit perdu toutes ſes habitudes; où il feroit comme etranger, & où à peine con-

noîtroît-il un autre courtiſan que le Comte de Grammont, lui-même."

At this time the Revolution had taken place, and St. Evremond was high in favor with the new King William III. whom he appears to have regarded, not very conſiſtently indeed with the ideas of government, which occaſionally emerge in his writings, with the utmoſt eſteem and admiration. The applauſe he laviſhes upon that great monarch might well paſs for flattery, had he been equally prodigal of praiſe in the former reigns: but as his reſerve in that reſpect, notwithſtanding his perſonal obligations, is remarkable, there is little reaſon to doubt that, with ſome little allowance for poetical and courtly embelliſhment, he ſpake the genuine ſentiments of his heart. The heroic and magnanimous qualities of that prince, and that ſucceſſion of great, uſeful, and memorable actions which diſtinguiſhed his life, could not fail, in the eſtimation of a man ſo capable of diſcrimination as St. Evremond, totally to eclipſe the dazzling and deluſive ſplendors of the character of Louis XIV. whoſe "glaring orb" had now paſſed its meridian height.

From the various eulogiums on the Belgic hero to be found in the works of St. Evremond, may be ſelected the following, as a compliment equally elegant and juſt—"Don Antonio de Cordoue

Cordoue diſoit qu'il eſt difficile de trouver un grand héros : un grand héros & un bon roi enſemble preſque impoſſible ; un grand héros, un bon roi, & un honnête homme ; c'eſt ce qu'on n'avoit jamais vû, & ce qu'on ne verroit jamais.

" Vous n'aviez pas le don de prophetie
Quand vous fites ce jugement ;
Antonio, ſi vous etiez en vie
Vous changeriez de ſentiment ;
Antonio, ces talens diſperſés
Sont dans le roi malgre vous ramaſſés
On reconnoit, ſans beſoin qu'on le nomme
Le grand heros, le bon roi, l'honnête homme."

Of the poetry of St. Evremond, in which term his dramas muſt be included, it may in general be affirmed that it does not exceed the *mediocre*. It was never eſteemed excellent by the French themſelves, and it is now ſinking faſt into oblivion. In a word, his poetical effuſions are the productions, to uſe the language of his biographers, " d'un homme du monde, qui dans une grand oiſivété cherche a paſſer agrèablement le tems— d'un bel eſprit qui penſe a ſe divertir." And though he appears to have written in verſe as well as proſe with great eaſe and facility, the utmoſt to which he ever attains, or perhaps aſpires, is elegance, and this only in trifles; his more elaborate pieces being unfortunately thoſe which poſſeſs the leaſt merit.

It has been intimated that the opinions of St. Evremond relative to government were not very liberal, or perhaps conſiſtent. The principles of Mr. Locke, now ſo univerſally received and deemed almoſt ſelf-evident, were at that time regarded as the novel and dangerous ſpeculations of a bold and viſionary writer: though the ſubject ſeems not to have excited much of St. Evremond's attention, who was never ſo far naturalized as to adopt the feelings and ſentiments of an Engliſhman. His ideas of religious toleration alſo appear to have been miſerably contracted and erroneous. "Une des premieres ſageſſes," he tells his friend M. Juſtel, "& des plus commandées, c'eſt de reſpecter en tout pays la religion du Prince: condamner la créance du Souverain, c'eſt condamner le Souverain en même tems. Un catholique Anglois, qui dans ſes diſcours ou dans ſes ecrits donne le nom d'hereſie a la religion Anglicane, traite le Roi d'Angleterre d'heretique, & lui fait une inſulte dans ſes propres etats: un Huguenot en France qui traite la religion catholique d'idolatrie, accuſe le Roi par une conſequence néceſſaire d'etre Idolatre, ce que les Empereurs payens même n'ont pû ſouffrir. Voulez-vous me croire Monſieur joüiſſez paiſiblement de l'exercife qu'on vous permet, tel qu'il puiſſe être; & ſoyez perſuadé que les princes ont autant de droit ſur l'exte-

l'extérieur de la religion, qu'en ont les ſujets ſur le fond ſecret de leur conſcience."

Such are the ſentiments of the celebrated M. de St. Evremond upon the ſubject of toleration. It is ſtrange that a man, who could reaſon upon other topics with ſuch acuteneſs and preciſion, ſhould need to be told, that as nature diſtributes her gifts with an impartial hand, and the intellectual powers of princes are not ſuperior to thoſe of their ſubjects, they are not in any reſpect better qualified for the inveſtigation and diſcovery of truth. That whatever the private ſentiments of the prince may be, to oppoſe thoſe ſentiments by force, not of arms but of argument, can never be juſtly conſtrued into criminal diſobedience to his authority. The moſt enlightened and moſt virtuous citizens have exerciſed this privilege without any impeachment of their faith and loyalty: and the wiſeſt and moſt magnanimous princes have been moſt ready to acknowledge the advantages which muſt reſult from an unreſerved freedom of diſcuſſion.

The right which M. de St. Evremond thinks it ſufficient to contend for, "Le droit que les ſujets ont ſur le fond ſecret de leur conſcience," is ſuch a right as the moſt abject ſlave cannot be diveſted of under the yoke of even Oriental deſpotiſm. And the right which M. de St. Evremond is ſo ready to reſign, "ſur l'exterieur de

la religion," is all that the Inquiſition itſelf has ever dared to uſurp. It is ſo obvious a truth, that it is wonderful men entruſted with the government of men ſhould need to be reminded of it, that mankind are, and ever will be, actuated by motives which reſpect their happineſs in a future as well as in the preſent ſtate of exiſtence. The great, and indeed the only proper object of temporal authority, is temporal proſperity; and men ought, upon every ground of reaſon and policy, to be permitted to ſecure their future intereſts by ſuch means as ſhall appear to them moſt effectual. And as amongſt different claſſes of men a variety of opinions will inevitably prevail, as to the efficacy of different modes of faith and forms of worſhip, and theſe opinions will be ſupported with all the fervor of religious zeal, perhaps of fanatic enthuſiaſm, what but an exceſs of pride and folly, approaching to infatuation, can lead any government to attempt, as Milton expreſſes it, "to bind conſcience in ſecular chains," or to enjoin and expect uniformity of conduct or profeſſion, when diverſity of ſentiment is abſolutely unavoidable? Before the will of the ſovereign, or of the ſtate, in a caſe of this nature, can be implicitly ſubmitted to, an univerſal torpor of the mental faculties muſt take place; and the human mind muſt be reduced to the moſt abject ſtate of humiliation

and debaſement. Or if, on the other hand, men ſhould ever become ſenſible of the injuſtice and preſumption of this claim, and the ſovereign, prompted by that pride, obſtinacy, and folly, which are ſo frequently the concomitants of power, ſhould reſolve at every hazard to enforce it, all hiſtory demonſtrates what civil diſcord, what perſecution, what furious and bloody commotions, may be expected to enſue.

Toleration is a ſimple, eaſy, and effectual remedy for the prevention or removal of theſe "dire diſtreſſes." Religion, it can never be repeated too often, is a perſonal concern. No man, indeed, ought to be allowed to injure another under pretence of conſcience; but with this exception, every individual has an inherent right, and it is the moſt heinous of oppreſſions to deprive him of the right of ſecuring and advancing his future happineſs, by ſuch methods as ſhall to him appear moſt conducive to the accompliſhment of that purpoſe.

It is now time to conclude theſe deſultory obſervations, by explaining, in a few words, the cauſe of St. Evremond's long baniſhment, as it is the moſt remarkable event of his life, and in itſelf a curious piece of ſecret hiſtory. About the year 1658, M. de St. Evremond had the miſfortune to incur the diſpleaſure of Cardinal Mazarine, by ſome free things ſpoken of his emi-

nence in the warmth and confidence of private converſation at the table of the Duke de Candale, which were maliciouſly reported to the Cardinal probably with ſome aggravation. Upon which St. Evremond was ſent as a ſtate priſoner to the Baſtile, where he was detained ſeveral months. On being releaſed, he thought it expedient to wait upon the miniſter to return him thanks for his enlargement. Cardinal Mazarine told him that he was convinced of his innocence, and concerned for the inconvenience he had ſuffered; but that a man in his ſituation who was obliged to liſten to ſo many reports, often found it difficult to diſtinguiſh truth from falſehood, and not to do injuſtice ſometimes to an honeſt man.

With this apology St. Evremond was obliged to appear ſatisfied, but he retained in his boſom a deep reſentment of the Cardinal's treatment: and in the following year he found an opportunity of gratifying his ſpleen very much at the expence, as in the event it proved, of his own peace and happineſs. The famous treaty of the Pyrenees was negotiated by Cardinal Mazarine and Don Louis de Haro in perſon. Amongſt other courtiers and men of diſtinction, St. Evremond was preſent during the conferences, and when the peace was ſigned, he wrote his ſentiments upon it in a confidential letter to the Marquis de Crequi, in which he points his moſt acrimonious

ſhafts

ſhafts of ridicule and ſatire againſt the Cardinal. The fact was, that Mazarine, ſwayed by intereſted motives, ardently wiſhed to put an end to the war, and that the Spaniſh miniſter, taking advantage of his impatience, had obtained far better terms than could reaſonably be hoped from the debilitated and ruinous condition of the Spaniſh monarchy. St. Evremond tells us, that as ſoon as the peace was ſigned, Don Louis exclaimed, "Allons, Meſſieurs, allons rendre graces à Dieu nous etions perdus, l'Eſpagne eſt ſauvée." "Que le bon homme Don Louis," continues St. Evremond, "n'ait eu pour but que le ſervice de ſon maître, & l'utilité du public, la maxime de M. le Cardinal eſt que le miniſtre doit etre moins à l'etat, que l'etat au miniſtre, & dans cette penſée pour peu que Dieu lui donne de jours il fera ſon propre bien de celui de tout le Roiaume."

This letter, which, for the ſecurity and ſatisfaction of the writer, was returned by the Marquis de Crequi to M. de St. Evremond, remained a profound ſecret during the life of the Cardinal. The demiſe of Mazarine, which happened in the year 1660, was immediately followed by the diſgrace of M. Fouquet; in conſequence of which event, not only the papers of that miniſter were ſeized, but the cabinets of his moſt confidential friends were examined by an order from the

the crown. Unfortunately, at this critical time, St. Evremond being on a tour to ſome diſtant province, had, "to make aſſurance double ſure," previous to his departure from Paris, depoſited this letter amongſt other papers of value with a friend who was, as the demon of ill luck would have it, one of the intimates of M. Fouquet, and thus the fatal diſcovery was made. St. Evremond, terrified at the idea of returning to his old apartments in the Baſtile, on receiving this unwelcome intelligence made his eſcape into Holland, whence he ſoon paſſed into England, where he reſided with ſhort intervals the remainder of his life. He died September 20, 1703, and was buried in Weſtminſter Abbey.

He has delineated his own portrait with an agreeable vanity. The reſemblance muſt be acknowledged ſtriking, though it is certainly a flattering likeneſs. He deſcribes himſelf as "Un philoſophe également éloigné du ſuperſtitieux & de l'impie. Il ſe loüe de la nature; il ne ſe plaint point de la fortune. Il hait le crime, il ſouffre les fautes, il plaint le malheur. Il ne s'attache point aux ecrits les plus ſavans pour acquerir la ſcience, mais aux plus ſenſés pour fortifier ſa raiſon. En amitie plus conſtant qu'un philoſophe; a l'egard de la religion

De

De juſtice, & de charité,
Beaucoup plus que de pénitence
Il compoſe ſa pieté ;
Mettant en Dieu ſa confiance,
Eſperant tout de ſa bonté,
Dans le ſein de la providence,
Il trouve ſon repos, & ſa felicité.

ESSAY

ESSAY XXX.

STRICTURES ON WALPOLE'S CATALOGUE OF ROYAL AND NOBLE AUTHORS.

THERE are two extremes equally remote from juſtneſs of thinking, the Scylla and Charybdis of literature, to be ſhunned with equal ſolicitude. The firſt is a tame acquieſcence in vulgar opinion, the ſecond a vain affectation of ſingularity. Of the firſt extreme it muſt be allowed that the elegant writer who is the ſubject of the preſent critical remarks has ſteered perfectly clear. But as to the ſecond, he is by no means ſo ſucceſsful. His "Hiſtoric Doubts" afford an egregious inſtance of falſe refinement and affected ſingularity. And it is amuſing to ſee a writer, in the midſt of all his parade of philoſophical and hiſtorical ſcepticiſm, become the dupe of an impoſture, by which even that dark and credulous age in which it originated, and which was ſo favorable to its ſucceſs, could not be long or generally deceived. His ingenuity and acuteneſs only ſerve to fortify him in error. Mr. Walpole was perhaps miſled, by conſidering the caſe of Perkin Warbeck as ſimilar to that of the

late Pretender, the legitimacy of whoſe birth was called in queſtion by the prevailing faction at the æra of the Revolution, without reflecting on the great diſparity of evidence attending the two caſes; the legitimacy of the one, and the illegitimacy of the other, reſting entirely upon improbable ſurmiſe and confident aſſertion. There are many obſervations in the volume now before us, deeply tinged with that fanciful and affected turn of thinking, which ſo remarkably predominates in the work already mentioned. The firſt article of the catalogue may be cited as an inſtance.

Mr. Walpole, in contradiction to all the accounts remaining of Richard I. is unwilling to admit that celebrated monarch to have been either a poet or a lover of poeſy: and becauſe Roger Hoveden, the monk, impudently and ridiculouſly aſſerts, that Richard, to raiſe himſelf a name, bought and begged verſes and drew over ſingers and jeſters from France to chant panegyrics on him about the ſtreets, Mr. Walpole thinks that no dependence is to be placed upon thoſe accounts which repreſent him as deeply enamoured of the muſes, or, to uſe Mr. Walpole's own words, "as the ſoft lute loving hero of poeſy." Certainly, after the great exploits which this romantic and victorious monarch performed in Paleſtine, there was little occaſion for him to buy or to beg verſes in order to raiſe himſelf a name.

a name. There is no contrariety, as Mr. Walpole ſeems to inſinuate, between the warlike genius of Cœur-de-Lion and his attachment to "the gay ſcience of the Provençals." His military ardour would be inflamed by his poetical enthuſiaſm, and he would appear in the eyes of his contemporaries, no leſs the hero, ſurrounded by his minſtrels in the feſtive bower or high-arched hall, than in the tented field or the enſanguined plain. Sometimes doubtleſs

——"The ſounding ſtrings
Would breathe of high immortal things."

And ſometimes

"Cupid would tune the muſes lyre
To languid notes of ſoft deſire."

And theſe occupations, which appear to Mr. Walpole ſo inconſiſtent with the ambitious and reſtleſs ſpirit of Richard, were nevertheleſs perfectly conformable to the gallant and romantic genius of the ages of chivalry.

Of Lord Cobham, Mr. Walpole quaintly obſerves, that he was a man whoſe virtues made him a reformer, whoſe valor a martyr, whoſe martyrdom an enthuſiaſt. Here the meaning ſeems greatly obſcured, if not wholly loſt in the purſuit of antitheſis. "The King. Henry V. was perſuaded to undertake the conqueſt

queſt of France, to which kingdom they aſſured him he had an undoubted right. When he thought he had any to the crown of England the other followed of courſe." But the claim of his father Henry IV. to the crown of England was perfectly analogous to that of William III. which we are not accuſtomed to treat with quite ſo much contempt.

Of the character of Lord Rivers, Mr. Walpole gives us an amuſing and agreeable ſketch. "It is remarkable," ſays he, "how ſlightly the death of this nobleman is always mentioned, and how much we dwell on the execution of the Lord Chamberlain Haſtings, a man in every light his inferior. In truth, the generality draw their ideas of Engliſh hiſtory from the tragic rather than the hiſtoric authors." But Sir Thomas More did not draw his ideas of the reign of Richard III. from the tragic authors, and yet he dwells upon the execution of Lord Haſtings, as an event of very great importance. The fact is, that Lord Haſtings, notwithſtanding the inferiority of his mental and corporeal accompliſhments, filled a much greater ſpace in the eye of the nation than Lord Rivers; and the circumſtances attending his death are in themſelves much more remarkable, and make almoſt every villany which is reported or ſurmiſed of Richard III. perfectly credible.

The

The unfortunate Earl of Eſſex furniſhes one of the moſt entertaining articles of the Catalogue. Mr. Walpole entertains high and juſt ideas of the character and government of Queen Elizabeth; nor is this in the leaſt inconſiſtent with the expoſure of her foibles, if accompanied with a proper ſenſe and acknowledgment of her many great and admirable virtues. I do not, however, deem quite ſo highly as Mr. Walpole of her great and unfortunate favorite. The Earl of Eſſex was doubtleſs a man of great natural parts; but, intoxicated with royal favor and popular applauſe, he was guilty of abſurdities and extravagancies which would have diſgraced any man who had pretenſions to common ſenſe. The laſt fatal enterprize in which he was engaged, was an aſtoniſhing proof to what deſperate extremities his pride and paſſion were capable of tranſporting him. He was poſſeſſed of all thoſe ſplendid and deluſive qualities which are calculated to captivate the populace; but the Queen's partiality for him did not prevent her from diſcerning the danger to be apprehended from ſo turbulent and ungovernable a ſpirit. And if he really declared, that his life was inconſiſtent with the Queen's ſafety, it is probable that the Queen and her miniſters were as good judges of the truth of the declaration as even Mr. Walpole. "How was he dangerous, or could

could he be?" Mr. Walpole aſks. "His wild attempt on the city had demonſtrated his impotence." This is certainly a curious and a perfectly novel mode of vindication. A man who has committed one act of political frenzy, may eaſily be ſuppoſed capable of another: and the failure of one treaſonable attempt does not quite amount to a demonſtration that no danger is to be apprehended from the next.

It is very extraordinary that Mr. Walpole, who ſpeaks of the Earl of Eſſex in terms of unbounded applauſe, ſhould find ſo little to admire in Sir Philip Sydney, who poſſeſſed all the amiable and ſplendid qualities of the Earl of Eſſex, without any mixture of his extravagance. "No man," ſays Mr. Walpole, "ſeems to me ſo aſtoniſhing an object of temporary admiration as the celebrated Sir Philip Sydney. The learned of Europe dedicated their works to him: the Republic of Poland thought him, at leaſt, worthy to be in the nomination for their crown: all the muſes of England wept his death. When we, at this diſtance of time, enquire what prodigious merits excited ſuch admiration, what do we find? Great valour. But it was an age of heroes. In full of all other talents, we have a tedious, lamentable, pedantic, paſtoral romance; and ſome abſurd attempts to fetter Engliſh verſe in Roman chains."—"He died with the raſhneſs

of a volunteer, after having lived to write with the *ſang-froid* and prolixity of Madamoiſelle Scuderi." This is writing, it muſt be owned, with a very faſhionable air, if not of *ſang-froid*, at leaſt of *non chalance*. But the character of the gallant and all-accompliſhed Sydney, the flower of chivalry and the mirror of knighthood, wants no aſſiſtance to repel ſo weak and wanton an attack. While France continues to celebrate the heroic virtues of Sydney, ſurely, Mr. Walpole might have known, without being at the trouble of a very profound inveſtigation, that in an age which he allows to have been an age of heroes, valour alone could not have elevated Sir Philip Sydney to ſuch a diſtinguiſhed height of reputation. If the learned of Europe dedicated their works to him; if the Republic of Poland thought him worthy to be put in nomination for their crown; if all the muſes of England wept his death; if ſo valorous a Knight as Sir Fulke Greville thought it ſufficient honor to have it recorded upon his tomb that he was the friend of Sir Philip Sydney, Mr. Walpole might ſafely conclude, that his character was diſtinguiſhed by far other qualities than mere valour. The truth is, that if we form our ideas of him from the accounts and repreſentations of his contemporaries, his character will appear "ſo perfect and ſo peerleſs," that it may well be ſuppoſed, "created

of every creature's beſt." Sir William Temple, no incompetent judge ſurely of merit, deſcribes this extraordinary man as the glory of the nation which gave him birth.—" A perſon," ſays he, " born capable not only of forming the greateſt ideas, but of leaving the nobleſt examples, if the length of his life had been equal to the excellence of his wit and virtues." As, however, it is certain that the imperfection of human nature will not allow the ſame individual to excel in all things, it will be readily admitted, that the Arcadia is not quite equal, as a literary compoſition, to the " Nouvelle Heloiſe;" and that the hexameters of Sydney are far inferior to the iambics of Pope. It muſt be acknowledged alſo, that at the battle of Tutphen he glorioufly offended againſt what Falſtaff calls " the better part of valour—diſcretion" So did the famous Gaſton de Foix, at Ravenna; ſo did William III. at Seneffe: yet ſuch faults have not been thought to derogate from their character as heroes.

> " Haud ignarus eram quantum nova gloria in armis,
> Et prædulce decus primo certamine poſſet."

Such, with reſpect to a ſimilar offence, is the language of a poet whom Mr. Walpole will not accuſe of writing with the *ſang-froid* of a Scuderi. The obſervations which conclude this article,

ticle, reſpecting the Chorus of the ancient drama, do honor to Mr. Walpole's good ſenſe and critical ſagacity.

There is an haſty remark in the entertaining account which Mr. Walpole gives us of Lord Brooke, which requires animadverſion. His Lordſhip in the year 1641 publiſhed "A Diſcourſe on Epiſcopacy," in which Anthony Wood tells us he was aſſiſted by ſome puritanical miniſters. "But Milton," ſays Mr. Walpole, "commends it for breathing the ſpirit of toleration, which was not the ſpirit of the Puritans." Now it is moſt certain that the principles of toleration originated with the Puritans, and with the moſt rigid and enthuſiaſtic ſect of Puritans, with which ſect Milton was himſelf connected: ſo that the aſſertion of Wood is by no means invalidated by the obſervation of Mr. Walpole. "Of all the Chriſtian ſects," ſays Mr. Hume, "this was the firſt which, during its proſperity as well as its adverſity, always adopted the principle of toleration; and it is remarkable that ſo reaſonable a doctrine owed its origin not to reaſoning, but to the height of extravagance and fanaticiſm."

In treating of the famous Earl of Glamorgan, Mr. W. offers a very courtly though not a very ſatisfactory vindication of the commiſſion given by Charles I. to that nobleman for bringing over a body of Iriſh Papiſts during the civil wars. After

After the horrid devaſtations committed by thoſe miſcreants in Ireland in the year 1641, no monarch who had any ſenſe of generoſity, or any regard to the common rights of humanity, would have had recourſe to ſo ſhocking an expedient for retrieving his affairs—nor indeed were the King's affairs at that time in ſo deſperate a ſituation as to call for ſo deſperate a remedy. Mr. Walpole thinks Charles to be pitied, becauſe few men in his ſituation would have acted better. On the contrary, it is probable that few men in his ſituation would have acted worſe. "But could a monarch who had ſtretched every ſtring of prerogative conſent," aſks Mr. Walpole, "*with a good grace* to let it be curtailed?" No, certainly, he could not: but it is a poor apology in behalf of a ſovereign who firſt tyrannizes over, and when provoked by reſiſtance "lets looſe the dogs of war" upon his ſubjects, to ſay that it was not poſſible for him to recede *with a good grace*.

Mr. Walpole's remarks on the character and conduct of the Earl of Sandwich are ſomewhat curious. "His perſuading Cromwell to take the crown," ſays Mr. Walpole, "was an unaccountable infatuation; eſpecially as his Lordſhip was ſo zealous afterwards for the Reſtoration." Rather might it be affirmed that Cromwell's refuſal of the crown was an un-

accountable infatuation. Whoever takes the trouble to read the conference between Cromwell and the Committee deputed by Parliament to make the offer of the crown, will do more juſtice to the arguments made uſe of upon that memorable occaſion, than to repreſent them as the reſult of an unaccountable infatuation. Nor is his Lordſhip juſtly chargeable with inconſiſtency in being afterwards zealous for the Reſtoration. In conſequence of the confuſion and anarchy which took place after the death of Cromwell, men of ſenſe and reflection were in general convinced that a permanent ſettlement could be effected only by the reſtoration of the baniſhed family. "It ſeems," ſays Mr. Walpole, "that the Earl had a fond and inexplicable paſſion for royalty, though he had early acted againſt Charles I." It may be preſumed that the Earl was far from being ſingular in retaining his affection for a monarchical form of government, even when actually engaged in oppoſing by force of arms the tyrannical deſigns of the reigning monarch. "The Earl admired Cromwell, yet could he imagine that in any light a diadem would raiſe the Protector's character? or how could a man who thought Cromwell deſerved a crown think that Charles II. deſerved one?" Theſe queſtions admit of an obvious reply. A diadem could not perhaps

raiſe

raiſe the political character of the Protector, but it might contribute to fix his power upon a more ſolid and permanent baſis. And it does not appear that the Earl was ſo much miſtaken in his judgment, as to ſuppoſe, that either Cromwell or Charles deſerved a crown; but he might, nevertheleſs, think that he conſulted the true intereſts of his country, in different political ſituations, in endeavoring to advance both the one and the other to the poſſeſſion of a crown.

"It is often urged with great emphaſis," ſays Mr. Walpole, "that when a nation has been accuſtomed for ages to ſome particular form of government, it will, though that form of government may be changed for a time, always revert to it. No argument," continues Mr. Walpole, "ſeems to me to have leſs ſolidity; for unleſs the climate, the air, and the ſoil of the country can imbibe habits of government or infuſe them, no country can in reality have been accuſtomed to any ſort of government but during the lives of its actual inhabitants." This "argument," or this political axiom rather, which appears to Mr. Walpole ſo deſtitute of ſolidity, ſeems to me perfectly juſt; and Mr. Walpole's obſervations upon it extremely unphiloſophical and inconcluſive. Though no one every ſuppoſed the climate, air, and ſoil of a country, could either imbibe or infuſe habits of govern-

ment, Mr. Walpole will not care to deny that ideas of government and modes of thinking may be infuſed by education; that opinions are uſually imbibed at a very early period of life, and that they are in general much leſs the reſult of reaſon than of prejudice. If then a ſtrong prepoſſeſſion has prevailed in any country in favor of monarchy, or of any other particular form of government, notwithſtanding that by ſome violent revolution the form of government may be changed, the prepoſſeſſion will remain: and a propenſity to revert to this particular form will certainly be apparent, long after the race of men by whom, or in whoſe days, this revolution was effected, has ceaſed to exiſt. It is even not improbable, that thoſe very individuals who concurred in this change of government, when any new cauſes of diſſatisfaction ariſe, may feel a revival of their original attachments, and condemn, with warmth, their own precipitation and folly, in aſſiſting to effect a total change of government, when the public happineſs might have been as effectually ſecured, at a leſs expence, by a correction of abuſes: and in this ſtate of mind they will gladly riſque their lives, to ſubvert what they before riſqued their lives to eſtabliſh.

"Were men," aſks Mr. Walpole, "born late in the reign of Charles I. bred to entertain irradicable

dicable prejudices in favor of royalty?" To this queſtion it may be anſwered, that men born late in the reign of Charles I. were as likely to entertain prejudices in favor of royalty as men born at any other time. It is well known, that the execution of the King was a meaſure effected by the leaders of the army, inflamed by a ſpirit of religious fanaticiſm, as well as political frenzy; and that the Parliament never gave the public ſanction to that act, which was regarded with horror and execration by a great majority of the nation. "It is ſuppoſed," ſays Mr. Walpole, "that no country is ſo naturally propenſe to liberty as England—is it naturally propenſe to monarchy too?" By being naturally propenſe to liberty, Mr. Walpole probably means, that no country has ſhewn ſo ſtrong and durable an attachment to liberty as England. But why ſhould that be thought inconſiſtent with its being "naturally propenſe," as Mr. Walpole ſtiles it, or ſtrongly attached to monarchy too? "Is monarchy the natural vehicle of liberty?" Mr. Walpole aſks. This is an obſcure queſtion, upon which it would be raſh to decide. But that liberty may be well, perhaps beſt ſecured, under a monarchical form of government, the admirable treatiſe of M. de Lolme affords the moſt ſatisfactory and convincing proof.

Upon that celebrated couple, the Duke and Ducheſs

Ducheſs of Newcaſtle, Mr. Walpole has been unreaſonably ſevere. A ſlight inſpection of her duſty and worm-eaten *tomes* will convince any impartial judge, that the Ducheſs, notwithſtanding her conceit and pedantry, was a woman of parts and genius. Of her poetical powers, the ſixty-ninth paper of the Connoiſſeur exhibits no unfavorable ſpecimen. There is ſomething offenſive in the reflections caſt upon the Duke, and his noble contemporary, the Marquis of Wincheſter; who, with a romantic generoſity, and inflexible loyalty, expended their immenſe fortunes in ſupport of their ſovereign in his diſtreſs: and when reduced to poverty and diſtreſs themſelves, ſought for conſolation in literary amuſements. Notwithſtanding Mr. Walpole's diſdain, it was certainly a proof of admirable equanimity, or rather magnanimity, when they found their utmoſt efforts in the cauſe of royalty unavailable, to be able to accommodate their minds to what Mr. Walpole ſtiles "the idleneſſes of literature." Nor were the literary productions of theſe celebrated noblemen conſidered, in their own age, as by any means contemptible. If the Duke of Buckingham is applauded as the author of the Rehearſal, why is the Duke of Newcaſtle exhibited as a ſubject of ridicule, for writing "The Humorous Lovers," or "The Triumphant Widow?"

Of

Of Mr. Walpole's ſhort account of the famous Earl of Shafteſbury, much is exceptionable. Mr. Walpole relates, upon the authority of Biſhop Burnet, a ridiculous ſtory, of Shafteſbury's pretending that Cromwell offered to make him King. "If he did," ſays Mr. Walpole, "it only proves, that Cromwell took him for a fool." But if Cromwell took Shafteſbury for a fool, it only proves, that Cromwell made a moſt egregious blunder. The abilities of Cromwell do not, perhaps, riſe much above the common ſtandard. His military talents, ſeconded by the moſt daring reſolution, and unprincipled ambition, were the true cauſes of his wonderful ſucceſs; and Fairfax and Monk, had they been equally deſtitute of honor and probity, might have riſen to the ſame height of power. But the abilities of Lord Shafteſbury were of the firſt claſs; far above the reach of Burnet's comprehenſion. "He had a particular talent," ſays the Right Reverend Hiſtorian, "to make others truſt to his judgment, and depend upon it; but he had a rambling way of talking, and underſtood nothing to the bottom. Nevertheleſs, he had a wonderful faculty in ſpeaking to a popular aſſembly; and brought over ſo many to a ſubmiſſion to his opinion, that no man was ever known equal to him in the art of governing parties, and making himſelf the head of them."

It

It ſhould ſeem that the learned prelate conſidered the commanding genius of this great ſtateſman and orator as ſomewhat akin to conjuration. He ſeems as much at a loſs to account for the aſcendency, which Shafteſbury acquired over the perſons with whom he was connected, as the judges of Leonora de Galigai, wife of Marechal D'Ancre, who, on her trial, being interrogated by what magical powers ſhe had gained ſo abſolute an influence over the mind of Mary of Medicis, her royal miſtreſs, nobly replied that ſhe uſed no other powers than thoſe which a ſtrong mind naturally poſſeſſes over a weak one. The portrait of the Earl of Shafteſbury, as delineated by Biſhop Burnet, is defective in drawing, coloring, and reſemblance.

Mr. Walpole enters more at large into the character of the Earl of Angleſea, Lord Privy Seal, though a much leſs remarkable perſonage; but the acrimony with which he is attacked ſeems void of any juſt foundation. Biſhop Burnet, indeed, in his rude and groſs manner, affirms, "that he ſtuck at nothing and was aſhamed of nothing; that he was neither loved nor truſted by any man, nor any ſide; that he ſeemed to have no regard to common decencies; that he ſold himſelf ſo often, that at laſt the price fell ſo low that he grew uſeleſs." This character, though ſo oppoſite to the whole tenor of the Earl's

life

life and conduct, ſeems to have been received by Mr. Walpole with implicit credulity. In anſwer to the Biſhop's charge, that he was neither loved nor truſted, the authors of the Biographia Britannica juſtly obſerve, that he enjoyed the confidence of King Charles II. for more than twenty years. Mr. Walpole is pleaſed to deny the fact. But the aſſertion of the Biographia is certainly true, in that ſenſe which is moſt honorable to the Earl's reputation. He was not indeed admitted to that degree of confidence which Lauderdale, Buckingham and Arlington once enjoyed; but if he had not poſſeſſed a conſiderable ſhare of the King's eſteem and regard, it is abſurd to ſuppoſe that he would have retained his high offices for ſo long a period. Nor does it appear that he forfeited his reputation with the patriotic party; or that any parliamentary complaints were exhibited againſt the Lord Privy Seal during the whole reign of Charles II. and his diſgrace was at laſt occaſioned by a too zealous vindication of himſelf from an imputation which related to his conduct when Commiſſioner in Ireland thirty years before. "But," ſays Mr. Walpole, "if the fact were true, it would be no juſtification." No juſtification! then the apologiſts of the Earl are engaged in a hopeleſs attempt indeed. His being truſted by the King for twenty years, is not indeed a juſtification from all the accuſations which

which falſehood and malice may invent, but it certainly is a complete juſtification from that charge which ſtigmatizes him as a man whom no one would truſt. Of Burnet, governed as he was by the caprices of paſſion and prejudice, it may be truly ſaid, that "his tongue out-venoms all the worms of Nile."

Mr. Walpole mentions an idle report, that Lord Angleſea, had he lived, would have been raiſed to the dignity of Chancellor by James II. But a man who had the courage to oppoſe, almoſt alone, the bill of attainder againſt the Duke of Monmouth, was not likely ſurely to receive ſo ſignal a mark of royal favor. The Earl is next charged with ſervile complaiſance and glaring injuſtice, for ſitting in judgment upon the regicides. "The Earl," ſays Mr. Walpole, "had gone moſt lengths with thoſe men; in ſhort, had acted with them in open rebellion to his ſovereign. The putting to death that ſovereign could by no means be the guilty part of their oppoſition. If a king deſerves to be oppoſed by force of arms, he deſerves death; if he reduces his ſubjects to that extremity, the executing him afterwards is a mere formality." The premiſes from which Mr. Walpole deduces his concluſion, are falſe both in theory and fact. It is theoretically falſe that every monarch whom it is juſtifiable to oppoſe by force of arms, deſerves

ſerves death; and it is hiſtorically falſe, that the Earl had gone moſt lengths with the regicides. It is well known that the Parliament, of which the Earl was a leading member, never entertained the idea of dethroning the King, much leſs of bringing him to the block. Though they had engaged in what Mr. Walpole chuſes to ſtile open rebellion to their ſovereign, they regarded the public execution of the King as ſomething more than *a mere formality*.—And they were fully perſuaded that there was no juſt ground for proceeding to that dreadful and deſperate extremity. It was a military faction which, after committing the moſt atrocious acts of violence upon the Parliament, affected that tragical cataſtrophe.

"That his Lordſhip failed with the times," ſays Mr. Walpole, "remains notorious. Thoſe principles muſt be of an accommodating temper, which could ſuffer the ſame man to be preſident of a republican council of ſtate; and recommend him for chancellor to an arbitrary and Popiſh King." The charge againſt the Earl of Angleſea, for failing with the times, is ridiculous. Can it be denied that he uſed his utmoſt efforts, as an honeſt and able ſtateſman, to ſtem the torrent? That he ſubmitted to the uſurpation of Cromwell, is a crime common to his Lordſhip, with the whole nation. The Earl was not ſo arrant a political Quixote as to oppoſe an eſtabliſhed government,

vernment, without ſome probability of ſucceſs: and it is certain that he embraced, with ardour, the firſt favorable opportunity that offered for reſtoring the King and Conſtitution: and if he was "well rewarded," it is no leſs certain that he well deſerved to be rewarded for his ſignal ſervices upon that memorable occaſion. As to the proof here given by Mr. Walpole of his accommodating principles, there could be nothing diſhonorable in his accepting of the office of preſident of the council of ſtate under the republic, when the nation at large acquieſced in the change of government: and if Mr. Walpole's memory had not ſtrangely failed him in writing this article, he muſt have recollected that in the preceding page he had himſelf allowed, that the ſuppoſition of his being appointed chancellor to James II. was highly improbable.

"Once," continues Mr. Walpole, "when the Earl of Eſſex charged him in the Houſe of Lords with being prayed for by the Papiſts, Angleſea ſaid he believed it was not ſo; but if Jews in their ſynagogues, or Turks in their moſques, would pray for him, unaſked, he ſhould be glad to be the better for their devotion. Had he really been nominated to the chancellorſhip by James II. probably he would have pleaded that it was not of his own ſeeking, but owing to the prayers of the Catholics, and he was glad to be

the

the better for them." In this paſſage we have a curious ſpecimen of Mr. Walpole's candour. Becauſe the Earl upon one occaſion replied to a malicious inſinuation like a wiſe and an honeſt man, Mr. Walpole thinks it probable that upon another he would have anſwered like a buffoon and a knave: but the general verdict of his contemporaries has acquitted him of ſuch diſgraceful imputations.

The character of Lord Somers is drawn with that happy delicacy, to uſe Mr. Walpole's words upon another occaſion, which finiſhes while it only ſeems to ſketch.

Of the Earl of Orford, the famous Sir Robert Walpole, Mr. Walpole affirms, that ſixteen unfortunate and inglorious years ſince his removal have written the eulogium. It is but juſtice, however, to the memory of Mr. Pelham to ſay, that the years ſucceeding the Peace of Aix-la-Chapelle, to the end of the life of that honeſt and able miniſter, were neither unfortunate nor inglorious.

Mr. Walpole, in his great zeal to invalidate the title of Lady Jane Grey, which was certainly one of the weakeſt that ever inſulted the underſtanding of any nation, appears to adopt a very dangerous maxim in politics, viz. that the power given by Parliament to King Henry VIII. to regulate the ſucceſſion, not being founded on national

expediency, could be of no force. Who is the proper judge of national expediency in this caſe; the legiſlature or a private individual?

It is not without a ſenſation of pain that this ingenious writer's account of Lord Falkland can be made the ſubject of animadverſion. Mr. Walpole characterizes this gallant, patriotic and virtuous nobleman, as "a weak but well-meaning man, who got knocked on the head early in the Civil War, becauſe it boded ill." That Lord Falkland was not "a weak man," is ſufficiently evident, as well from the various productions of his pen as from the high reputation he acquired with his contemporaries for underſtanding as well as integrity. It is eaſily conceivable that Lord Falkland, though he had acted with Hampden and the patriots, might believe it to be his duty to join the royal party, after the great ſacrifices the King had made; and though the danger to be apprehended from the ſucceſs of the King's arms, and the undoubted right of Parliament to judge whether the conceſſions made by the crown were ſufficient to ſecure the Conſtitution from future attacks, ſhould I think have inclined him to adopt a different line of conduct; it is abſurd to repreſent his erroneous choice as a proof of defect of underſtanding. Upon that great occaſion, men of equal abilities, knowledge and integrity, would doubtleſs, as in every other

other ſituation of importance and difficulty, ſee things in very different points of view. His indulgence of melancholy, and his diſregard of life in the critical and dangerous ſtate of public affairs, after the commencement of the war, may indeed be juſtly conſidered as extremely culpable. But ſuch faults are too rare, and proceed from motives too generous and noble to make it neceſſary to treat them with ſuch contemptuous and ſarcaſtic ſeverity.

Upon the whole, the volume in queſtion affords much amuſement, and contains very many proofs of liberality, taſte, and good ſenſe; and no violation of perſonal reſpect is intended, or can juſtly be inferred, from the critical and impartial examination of writings, which by the very act of publication are ſubmitted to the public cenſure.

ESSAY XXXI.

OBSERVATIONS ON GENIUS.

WHAT is GENIUS? A certain writer of highly reſpectable abilities, who has treated this ſubject much at large, Dr. Gerard, tells us, that "Genius is properly the faculty of invention, by means of which a man is qualified for making new diſcoveries in ſcience, or for producing original works of art." On the other hand "the true Genius," according to Dr. Johnſon, "is a mind of great general powers, accidentally determined to ſome particular direction." And he elſewhere ſtiles Genius, "that quality, without which judgment is cold and knowledge is inert; that energy, which collects, combines, amplifies and animates; always inveſtigating, always aſpiring; in its wideſt ſearches ſtill longing to go forward, always imagining ſomething greater than it knows, always endeavouring more than it can do." Of theſe two different accounts of Genius, the latter appears moſt conſonant to truth; and Dr. Gerard ſeems to have miſtaken the nature of Genius when he affirms, that "Genius is one of the intellectual powers, and conſpicuouſly diſtinguiſhable from the reſt."

"Genius,"

"Genius," fays the learned and worthy profeſſor "is confounded not only by the vulgar, but even ſometimes by judicious writers with mere capacity; which implies nothing beyond a little judgment, a tolerable memory, and conſiderable induſtry." But conformably to the ideas of Dr. Johnſon, Genius differs from capacity not in kind but in degree. When the capacity of any individiual, *i. e.* his ability for acquiring, retaining, and digeſting knowledge, ariſes to a certain degree of ſuperiority above the common level, we ſtile him without heſitation, a man of genius, without any excluſive reference to the faculty of invention. It is true that vigour of imagination almoſt invariably accompanying any remarkable ſuperiority of capacity, it is juſtly conſidered as one of the principal ingredients which enter into the complex idea of Genius. But judgment, memory, underſtanding, enthuſiaſm, and ſenſibility are alſo included; for a very high degree of mental capacity is as conſtantly found conjoined with theſe mental qualities, as with imagination or invention. And though the man of genius may not poſſeſs all theſe properties in the ſame degree, and though the relations they bear to each other cannot be aſcertained by any fixed rule of proportion, the total abſence of any one of them will diveſt him of all pretenſions to the praiſe of genius.

In vindication however of that erroneous hypothefis, which reduces Genius to mere invention, Dr. Gerard obferves, "that if a man fhews invention, no intellectual defects which his performance may betray can forfeit his claim to Genius; and the degree of this faculty afcribed to him is always in proportion to our eftimate of the novelty, the difficulty, or the dignity of his inventions." But this is evidently fuppofing a cafe which is never known to exift: the faculty of invention being invariably accompanied with a certain degree of judgment, underftanding, fenfibility and tafte. If it could be proved to exift unconnected with thefe qualities, it moft certainly would not entitle the poffeffor to the praife of genius, but to the reproach of folly and extravagance.

Dr. Gerard himfelf allows in another part of his work, that "mere imagination will not conftitute Genius. As fancy," he very juftly obferves, "has an indirect dependance both on fenfe and memory, from which it receives the firft elements of all its conceptions; fo when it exerts itfelf in the way of genius it has an immediate connection with judgment, which muft conftantly correct and regulate its fuggeftions." But how does this coincide with his former affertion, that Genius is ftrictly and properly the faculty of invention? Dr. Gerard feems to think that he has

fufficiently

ſufficiently reconciled theſe apparent contradictions by remarking, "that if fancy were left entirely to itſelf, it would run into wild caprice and extravagance *unworthy to be called invention.*" Thus it is, therefore, Dr. Gerard will not allow us to call invention, invention, becauſe it does not happen to ſuit his hypotheſis. But certainly if Genius is nothing more nor leſs than invention, the wildeſt caprices of fancy are indubitable marks of Genius. It is true that the learned and ingenious profeſſor ſhelters himſelf under the authority of Quintilian, who ſays, "Ego porro ne inveniſſe quidem credo eum qui non judicavit; nec enim contraria, communia, ſtulta, inveniſſe dicitur quiſquam, ſed non vitaſſe." But the true meaning of Quintilian is far from being favourable to the hypotheſis of Dr. Gerard. The Romans had no term in their language, exactly correſponding to the word "Genius," but the idea was very familiar to them: and both Cicero and Quintilian plainly perceived that it was inadequately expreſſed, by the term "inventio." "Quid illa vis," Tully aſks, "quæ tandem eſt, quæ inveſtigat occulta, quæ inventio, atque excogitatio dicitur?"

By this energy of mind which was called invention, becauſe invention was one of its principal characteriſtics, they ſaw that ſomething more than invention was really intended; and

the general idea of Quintilian, reſpecting invention as expreſſive of Genius, did not in fact differ from that of Dr. Hartley, when he defines invention to be "the art of producing new beauties in works of imagination, and new truths in matters of ſcience." But new beauties and new truths cannot be diſcovered without the exerciſe of judgment, reaſon, memory, and taſte; that is to ſay, Genius does not conſiſt in the mere faculty of invention: and to ſay that it conſiſts in the art of producing or diſcovering new beauties or new truths, is to make it conſiſt in that aſſemblage of mental qualities, without the joint operation of which, new truths and new beauties cannot be produced.

Dr. Gerard tells us, that "the degree of Genius aſcribed to a man, is always in proportion to our eſtimate of the novelty, difficulty, or dignity of his inventions. It is not perfectly eaſy to comprehend what is meant by "eſtimating Genius by the novelty of an invention," as all inventions muſt have an equal claim to novelty. The difficulty and dignity of an invention, if by dignity be underſtood its utility and beauty, are indeed circumſtances which afford very ſufficient proofs of Genius in the inventor. But then they are proofs of ſomething more than a mere faculty of invention—they ſhew that invention is aſſociated with its uſual concomitants.

The

The fact is, that Genius is a term like many others, too complex to admit of a regular or preciſe definition; and if Genius is confounded by ſome writers with "mere capacity," they are involved in an error of leſs magnitude than thoſe who confound it with "mere invention," which is only one of the intellectual powers; whereas true Genius pervades, ſtrengthens, and illuminates the whole collective maſs; and is ſo far from being confined to invention, that it is often very conſpicuouſly diſplayed in the oppoſite and leſs dignified walk of imitation. Had the Iliad of Homer been as deſtitute of poetical fire, as the burleſque though literal tranſlation of Hobbes, we ſhould ſcarcely have ſcrupled to ſtile the beautiful tranſlation of Pope a work of far ſuperior Genius to the original, though the praiſe of invention would ſtill have remained with the antient bard.

By capacity is meant an ability for acquiring knowledge; by Genius, an eminent degree of capacity, including that aſſemblage or aggregate of mental qualities uſually aſſociated with it. Genius denotes that energy of mind which is not only capable of receiving, but of exciting vivid and powerful impreſſions. Imagination is unqueſtionably one of the nobleſt of the mental powers; and when the inventive faculty produces what has truth and beauty, as well as novelty to recommend

recommend it, without doubt it muſt be acknowledged an infallible criterion of Genius. But ſtill it has no excluſive right to aſſume the appellation of Genius, which is a term of ſuch comprehenſive import as to include within its juriſdiction all the rational and intellectual powers. There is in fact no one intellectual quality which, if it ariſes to a certain height of excellence, may not be conſidered as a characteriſtic of genius; for there is ſuch an intimate connection between the different mental powers, that if any ſingle quality riſes to uncommon excellence, there is a very ſtrong preſumption that the other mental qualities, though perhaps in a great degree uncultivated, are alſo naturally excellent. That quick diſcernment of beauty, and ardent admiration of it, for inſtance, which we denominate *taſte*, implies ſuch a ſenſe of intellectual vigour and excellence, that it may properly be regarded as a characteriſtic of genius, though abſtractedly conſidered, frequently and juſtly oppoſed to invention, which is another and a higher mark of genius; and which therefore has often been confounded with genius. Thus, M. Voltaire obſerves, that "Shakeſpeare has genius and Addiſon taſte, between which, however," ſays he, "there is an immenſe interval." There is indeed a very wide interval between the power of creating and that of *merely* diſcerning beauties; but experience ſufficiently

ſufficiently proves that exquiſite delicacy of taſte, or a ready and vigorous perception of beauty, is ſeldom found, where invention, or the faculty of producing new beauties or diſcovering new truths is entirely wanting; and it cannot exiſt but in conjunction with judgment, underſtanding, and ſenſibility.

A few detached obſervations relative to the ſubject may, with propriety, conclude this Eſſay. And,

1ſt, As to the long conteſted queſtion, relative to the diſparity of Genius between the two ſexes, it does not appear that the claim of man to ſuperiority in this view reſts upon any very juſt foundation. If we compare men and women born in the loweſt ranks of life, and equally deſtitute of the advantages of education, or on the other hand if the compariſon be made between women in the higher ſtations of ſociety, whoſe minds have been properly cultivated, to men of the ſame rank, the female ſex will in neither caſe ſuffer by the parallel; and to inſtitute any compariſon where the advantages of education are confined to one of the parties, would be too groſs and manifeſt a partiality. Though Lord Cheſterfield, in order that nothing might be wanting to exhibit his ſon to the world as a conſummate politician, informs him as a profound ſecret, that women were only children of a larger

larger growth, and were to be regarded and treated as ſuch, it is certain, that of thoſe women who have attained to the ſummit of power, a great proportion have ſhewn, that their talents for government were equal to thoſe of the greateſt princes. It is not neceſſary in order to juſtify this aſſertion, to trace the records of hiſtory ſo far back as the reigns of Semiramis, Tomyris, or Zenobia, ladies, concerning whom the world would be happy to obtain better information; but we may appeal to modern times, to facts, and to characters known to all—to our own renowned Elizabeth, to the famous Iſabella of Caſtile, to an Anne of Beaujeu, a Chriſtina of Sweden, or a Catherine II. of Ruſſia, for whom perhaps the glorious taſk is deſtined, of expelling thoſe proud contemners of female underſtanding, the Turkiſh barbarians, from thoſe delightful countries which have ſo long groaned under the yoke of Ottoman deſpotiſm.

2dly, It may be obſerved that no learning, no experience, no application will either conceal or compenſate an original deficiency of Genius. Poverty of Genius, in reality becomes only the more conſpicuous, by an artificial conjunction with extenſive knowledge, or profound learning. And in public life, if men of mean talents, though of long and acute acquaintance with the

detail of buſineſs, are ever ſo unfortunate as to be elevated to the higheſt departments of the ſtate, there is perpetual danger leſt, for want of comprehenſion of mind and perſpicacity of diſcernment, meaſures ſhould be adopted injurious or perhaps fatal to the intereſts of the community. From men of genius only can we ever rationally expect any ſeaſonable, judicious, and well conducted plans of national improvement.

3dly, It ought, on the other hand, to humble the pride of genius to conſider, that it is liable to fall into the greateſt ſpeculative abſurdities. Human nature is ſo unequal to the inveſtigation of truth, that a mind of the higheſt powers, which ventures to confide in its own ſuperiority, is quickly loſt in a labyrinth of perplexity and error. Truth is to be attained, as far as it is attainable by ſo weak and imperfect a being as man, by patient, laborious, and attentive conſideration; by diveſting ourſelves of paſſion and prejudice, by commencing our enquiries with doubt and diffidence, and by extending a candid and equal regard to the arguments on every ſide, and weighing them in the balance of ſtrict and impartial juſtice. The man of genius is frequently deficient in almoſt all theſe eſſential requiſites for the diſcovery of moral truth. Full of ardor and enthuſiaſm, and elate with the conſciouſneſs of ſuperior talents, he thinks it ſuperfluous

ſluous to devote that portion of time and patience to the inveſtigation of truth which its nature indiſpenſably requires. He forms his opinions with precipitation, and when once formed his pride is engaged to vindicate and ſupport them. As his feelings are ſtrong, and the faculty of aſſociation vigorous and powerful, his firſt opinions, originally formed on very ſlight grounds, ſoon degenerate into inveterate prejudices; and in this ſtate of mind he treats with contempt or indignation all arguments but ſuch as have a tendency to confirm him in error; and his ſuperiority of genius only ſerves, by ſupplying him with endleſs fallacies, to plunge him deeper and deeper into the abyſſes of abſurdity and extravagance.

> None are ſo ſurely caught when they are catch'd
> As wit turn'd fool—folly in wiſdom hatch'd
> Hath wiſdom's warrant, and the help of ſchool
> And wit's own grace to grace a learned fool.
>
> SHAKESPEARE.

A man of genius, entangled in abſurdity, is nevertheleſs an object of compaſſion rather than of ridicule. "On doit," ſays M. Mirabeau, very generouſly, "une indulgence preſqu' illimitée aux grands hommes quand ills ont evidemment tort."

4thly, It is a too juſtly prevailing opinion that

that melancholy is a very frequent attendant on genius. How is this to be accounted for? Enthuſiaſm or ardor of mind is certainly a ſtriking characteriſtic of genius; but this is a quality apparently incompatible with melancholy, which deprives the mind of every degree of force and vigour, and leaves it without any proper *ſtimulus* to action. The difficulty may beſt be ſolved by ſuppoſing enthuſiaſm natural to genius, and melancholy only an accidental and adventitious quality. None are ſo liable to diſappointments in the world as men of genius, and melancholy is the natural conſequence of diſappointment. Their feelings, too refined for their own happineſs, are wounded by neglect, ſometimes perhaps by inſult. Their taſte for beauty and order is ſhocked by the ſcenes of folly, vice and miſery, perpetually preſented to their view. The common concerns of life appear to them flat, inſipid and unintereſting. They firſt grow weary of the world and then of themſelves. The beſt remedy for this diſeaſe of the mind is the firm belief of that ſublime ſyſtem, which teaches the exiſtence of an infinitely wiſe, powerful and beneficent Being, under whoſe omnipotent government and control the courſe of events is tending to a happy and glorious conſummation.

ESSAY

ESSAY XXXII.

ON SHAKESPEARE.

IT appears paradoxical, but it is ſtrictly true, that the faults of Shakeſpeare, great and numerous as his warmeſt advocates muſt allow them to be, afford the moſt deciſive proofs of his excellence. It is an acknowledged fact, that to his works all claſſes of men, the young and the old, the learned and the ignorant, the clown and the courtier, are indebted for the moſt exquiſite entertainment and delight. And yet what rule of compoſition can be named which he has not violated? what ſpecies of impropriety from which he is entirely exempt? How tranſcendent then muſt be the merit of that writer, how ſtriking the luſtre of thoſe beauties, which have power to excite ſuch delightful emotions under ſuch diſadvantages, and combined with ſuch defects?

It is a ſubject of liberal curioſity to enquire into the nature of thoſe beauties, and in what manner they concur to produce this extraordinary effect. Much has been ſaid and much been done by critics of the firſt eminence, in order to illuſtrate thoſe points; but it will probably ever remain

remain in some degree a mystery why one writer pleases above another, and consequently, why Shakespeare pleases above all others. It requires a much more intimate acquaintance with the human mind, than the acutest philosopher can boast, to be able to trace the origin and progress of all those associations which contribute to the formation of pleasurable ideas. We know indeed from experience, that the observation of certain long established rules of composition pleases in a certain degree, and we can account tolerably, upon philosophical principles, for the pleasure we derive from those sources: but unfortunately for the lovers of system, Shakespeare has dared to please in contradiction to rules, and in a higher degree, than the most admired writers who have adhered to them. For even the Œdipus and Iphigenia of Sophocles and Euripides must be acknowledged inferior to Lear and Othello, in regard to the general effect of the composition: and to put the Cid and Athalie, those *chef d'œuvres* of the French theatre, in competition with Shakespeare, is, as it were, to bring Paris into the lists to encounter Ajax or Achilles. Without entering into a very elaborate discussion of the subject, it may be pardonable to offer a few remarks on the causes of this evident and prodigious superiority; or in other words, to point out some of those characteristic

beauties which predominate in the works of Shakeſpeare, and which conſtitute their principal excellence. And perhaps the moſt ſtriking feature appertaining to them is,

1ſt, That they irreſiſtibly arreſt the attention. Our curioſity is powerfully excited at the commencement of each piece, and it is never ſuffered to ſubſide till the concluſion of it. This is the moſt infallible teſt and proof of genius. Many of our modern tragedies, it muſt be acknowledged, are regular and faultleſs performances; ſome of them are not only free from material defects, but poſſeſs a conſiderable ſhare of real excellence; for inſtance, Cato, Irene, and Phædra and Hypolitus. The diction of theſe plays is lofty and poetical without being inflated; the ſentiments juſt and noble, the plots regularly conducted, the characters ſkilfully diverſified, and the unities ſtrictly preſerved. What can be wanting then to the perfection of tragedy?—Yet theſe tragedies, and ſuch as theſe, we read without emotion or ſympathy; with a certain ſenſation of pleaſure indeed, but ſo weak, as ſcarcely to induce us to take up the performance a ſecond time, except it may be for the purpoſe of committing a few ſplendid paſſages to memory. They are defective in that firſt and greateſt power of compoſition, the power of ſeizing, faſcinating, and enchaining the attention; in a word,

word, they are defective in *genius*—a term easy to comprehend, impossible to define. On the contrary, we are unable to peruse Lear, Macbeth, or Othello, without the strongest emotions of pity, terror, indignation, solicitude and sorrow. But is there not a sufficient *quantum* of distress and misfortune, to produce these effects in our modern dramas? Distresses and misfortunes there are in abundance, certainly; but so perversely do they operate, that where the poet is most inclined to be serious, the readers are often most disposed to be merry. They seem as void of compassion as Launce's dog Crab—"I think," says he, "Crab, my dog, be the soureſt-natured dog that lives. My mother weeping, my father wailing, my sister crying, our maid howling, our cat wringing her hands, and all our house in great perplexity, yet did not this cruel-hearted cur shed one tear."

But not to dwell on this obscure and general cause of the superiority of Shakespeare, above all other dramatic writers, it will be universally allowed, 2dly, That his skill in discriminating, and his attention to the preservation of his characters, constitute a distinguished branch of his superior excellence. It is true that in many other productions of the drama, we meet with characters natural and consistent, conceived with judgment and sustained with propriety; but the characters

of Shakeſpeare are drawn with ſuch ſurpriſing force as well as propriety and truth, that we can ſcarcely forbear to conſider them as originals, actually in exiſtence. Many ſcenes are penned with ſuch an air of animation, of nature, and reality, that one is almoſt tempted to ſuppoſe, that the poet had, like Bayes, over-heard the dialogue which he gives us as his own invention. Such is the ſcene, in which Hamlet is firſt informed of the appearance of his father's ghoſt—ſuch the garden ſcene in Romeo and Juliet, and ſuch the ſcene in which Iago firſt awakens the jealouſy of Othello; and ſuch an hundred others. The characters of Shakeſpeare alſo are not only drawn with force and correctneſs, but many of them are of a very uncommon and original caſt—Such as Falſtaff, Polonius, Jaques, Menenius, &c. Characters like theſe require the utmoſt care and delicacy in the execution, and afford the higheſt degree of entertainment, when touched by the hand of a maſter. They are not ſo much cloſe and exact copies of nature, as bold imitations: they are not perhaps ſuch characters as do exiſt, but when once delineated, ſuch as might eaſily be ſuppoſed to exiſt. We perceive, that they are ſo conſtructed as to diſplay the moſt perfect knowledge of the human mind; that the component parts of theſe characters are ſtrictly conſonant to thoſe ideas of truth

and nature which we find in our own breaſts; but the combination is wholly new. Who will venture to aſſert, that the character of Falſtaff is unnatural? yet where, in real life, ſhall a Falſtaff be found? though ſo exquiſite is the workmanſhip diſplayed in its formation, that it would ſcarcely ſeem hyperbolical to exclaim with the poet—

> "Nature herſelf, amaz'd, may doubting ſtand,
> Which is her own, and which the painter's hand."

It is farther obſervable, that in characters of the ſame claſs, we find the niceſt and moſt curious ſhades of diſcrimination: the heroines of Corneille are copied from a grand indeed, but uniform model. But if we ſurvey with attention the characters of Deſdemona, of Imogen, of Ophelia, of Juliet, &c. all innocent and amiable, we perceive that each has her peculiar *traits*, which diſtinguiſh her from the reſt. Juliet has not the artleſſneſs and ſimplicity of Deſdemona, Imogen has not the courage and reſolution of Juliet, Ophelia has not the tender and delicate affection of Imogen, nor Deſdemona the filial piety of Ophelia. Another remarkable circumſtance relating to this aſtoniſhing preſervation of character is, that he is almoſt invariably careful to imitate, and not merely to deſcribe the feelings and paſſions of the different perſonages of the drama. The

diſtinction between imitation and deſcription has been well illuſtrated by Lord Kaims; and it is certain that nothing leſs than a genuine expreſſion of paſſion can awaken the attention or ſympathy of the ſpectator. Shakeſpeare deals very little in looſe and unmeaning declamation. In trying and critical ſituations, we have uſually the language of nature burſting from the heart: Or, if he fails, it is not by falling into the undramatical or unintereſting language of deſcription, but into ſentiments too much laboured, harſh or unſeaſonable metaphors, or quaint and far-fetched conceits. Othello, when perfectly convinced of the falſhood of Deſdemona, and the treachery of Caſſio, thus exclaims in the moſt perfect imitation of paſſion, that can be conceived—

Oth. Oh! that the ſlave had forty-thouſand lives,
One is too poor, too weak for my revenge.
Now do I ſee 'tis true—Look here, Iago;
All my fond love thus do I blow to Heaven;
'Tis gone.
Ariſe black vengeance from thy hollow cell!
Yield up, O Love, thy crown and hearted throne
To tyrannous hate! Swell boſom with thy fraught,
For 'tis of aſpick's tongues!
Iago. Yet be content.
Oth. Oh! blood, blood, blood.
Iago. Patience! I ſay; your mind perhaps may change.

But here the language of imitation changes to that of deſcription—

Oth. Never, Iago: Like the Pontic Sea,
Whoſe icy current, and compulſive courſe,
Ne'er feels retiring ebb, but keeps due on
To the Propontic and the Helleſpont;
Even ſo my bloody thoughts, with violent pace
Shall ne'er look back, ne'er ebb to humble love,
'Till that a capable and wide revenge
Swallow them up.

Beautiful as this compariſon is, we feel the impropriety of it, in the ſituation and circumſtances of the ſpeaker. This is a remarkable deviation from Shakeſpeare's uſual mode of writing: but if we look into modern plays, and into the works of the French dramatiſts, we ſhall find imitation of paſſion ſcarcely attempted, and deſcription every where prevalent.

3dly, The next remarkable characteriſtic of this great poet which offers itſelf to notice, is the beauty and energy of his diction. It is now two hundred years ſince he commenced writer, and in this time, his language has acquired a certain obſolete caſt, an air of antiquity, which it muſt be owned is of no advantage to his comedies, for the ſtile of comedy ſhould be always eaſy and familiar; but which gives to his tragic compoſitions an inexpreſſible grace and dignity. This is a ſpecies of excellence, which modern

writers cannot attempt without falling into a ſort of literary mimicry, which is productive of a very ludicrous effect. The beautiful concluding lines of Dryden's epiſtle to Kneller, are as applicable to the art of poetry, as to that of painting; and it might have been as truly predicted of the works of a Shakeſpeare, as of thoſe of a Raphael:

> More cannot be by mortal art expreſs'd,
> But venerable age ſhall add the reſt;
> For Time ſhall with his ready pencil ſtand,
> Retouch your figures with his ripening hand;
> Mellow your colours and embrown the teint;
> Add every grace which Time alone can grant;
> To future ages ſhall your fame convey,
> And give more beauties than he takes away.

It cannot however be doubted, but that the ſtile and diction of Shakeſpeare muſt have originally poſſeſſed merit of the higheſt kind; the moſt forcible, as well as the moſt beautiful compoſition of words which the Engliſh language perhaps affords, are to be found in his works. Where, in the whole range of modern poetry, do we meet with ſuch powers of expreſſion, as the following paſſages exhibit, which on the caſual opening of a volume, almoſt immediately preſent themſelves:

> All thoſe which were his fellows but of late,
> Some better than his value, on the moment
>
> Follow

Follow his ſtrides; his lobbies fill with 'tendance,
Rain ſacrificial whiſp'rings in his ear.

——— —— Who dares, who dares
In purity of manhood, ſtand upright,
And ſay this man's a flatt'rer—If one be,
So are they all—For every grize of fortune
Is ſmoothed by that below: the learned pate
Ducks to the golden fool—All is oblique:

——— Here's gold; go on: ——
Be as a planetary plague, when Jove
Will o'er ſome high-vic'd city hang his poiſon
In the ſick air.

—— What! think'ſt thou
That the bleak air, thy boiſterous chamberlain,
Will put thy ſhirt on warm? Will theſe moſs'd trees,
That have out-lived the eagle, page thy heels
And ſkip when thou point'ſt out? Will the cold brook,
Candied with ice, caudle thy morning taſte,
To cure thy o'er-night's ſurfeit? Call the creatures
Whoſe naked natures live in all the ſpite
Of wreakful heaven; whoſe bare unhouſed trunks
To the conflicting elements expoſed
Anſwer mere nature—bid them flatter thee!

——— Oh! dear divorce *(looking on the gold.)*
'Twixt natural ſon and ſire! thou bright defiler
Of Hymen's pureſt bed! Thou valiant Mars!
Thou ever young, freſh, loved, and delicate wooer,
Whoſe blaſh doth thaw the conſecrated ſnow
That lies on Dian's lap!—Thou viſible God,
———— that ſpeak'ſt with every tongue
To every purpoſe! —— &c. &c.

TIMON OF ATHENS.

Thefe remarks, refpecting the beauty of the ſtile of Shakeſpeare, cannot properly be diſmiſſed, without noticing the aſtoniſhing variety and richneſs of his imagery. He is the moſt figurative writer, Oſſian perhaps excepted, in our language: yet his ſimilies and metaphors are choſen with ſuch exquiſite propriety, and ſo happily adapted to the diſpoſition, ſituation, and circumſtances of the different ſpeakers, that his ſtile very rarely appears ſtiff, or laboured, or affected; and if he is ever juſtly chargeable with thoſe faults, they much oftener ariſe from violent ellipſes and inverſions of language, from licentious modes of expreſſion, and words uſed in anomalous ſenſes, than from the improper or injudicious uſe of metaphorical ornament. It would indeed be raſh to aſſert, that, throughout the entire extent of his voluminous productions are not to be found a very conſiderable number of indefenſible images, and even of ridiculous conceits; but it may juſtly be affirmed, that they bear a very ſmall proportion to thoſe paſſages, in which the happieſt uſe is made of this liberty; and "the poet's eye in a fine frenzy rolling," ſeems to glance from heaven to earth in ſearch of objects, whence to borrow apt and ſuitable alluſions to grace or dignify his page. His images are indeed taken from a moſt comprehenſive ſurvey of the works of nature and of art;

art; and the knowledge he diſplays is ſo various and extenſive, that it cannot but raiſe aſtoniſhment, how in the courſe of a life, the early part of which appears to have been waſted in idleneſs and diſſipation, and the reſt devoted to the duties of his profeſſion as an actor, manager, and author, he could find opportunities to amaſs ſuch inexhauſtible ſtores of mental treaſure. The firſt act of Hamlet alone will furniſh a ſufficient number of examples, to ſhew the exquiſite judgment and taſte which Shakeſpeare exhibits in the choice and application of his metaphors.

——— Look, the morn in ruſſet mantle clad
Walks o'er the dew of yon high eaſtward hill.

Laer. For Hamlet and the trifling of his favour,
Hold it a faſhion, and a toy in blood,
A violet in the youth of primy nature,
Forward, not permanent; tho' ſweet, not laſting.

The chaſteſt maid is prodigal enough
If ſhe unmaſk her beauty to the moon:
Virtue itſelf 'ſcapes not calumnious ſtrokes;
The canker galls the infants of the ſpring
Too oft before their bloſſoms are diſcloſed,
And in the morn, and liquid dew of youth,
Contagious blaſtments are moſt imminent.

Ophe. I ſhall th' effects of this good leſſon keep,
As watchmen to my heart—But good my brother,
Do not, as ſome ungracious paſtors do,

Shew

Shew me the ſteep and thorny way to heaven;
Whilſt like a puſt and careleſs libertine,
Himſelf the primroſe path of dalliance treads
And recks not his own read.

——— My fate cries out
And makes each petty artery in this body
As hardy as the Nemean lion's nerve.

I find thee apt:
And duller ſhould'ſt thou be than the fat weed,
That roots itſelf at eaſe on Lethe's wharf,
Would'ſt thou not ſtir in this—&c. &c.

4thly, The laſt particular to be inſiſted upon, as one of the principal characteriſtics of this juſtly celebrated poet is, the unrivalled ſkill, or rather felicity of his verſification. For though nothing can appear leſs the effect of care and ſtudy, never did any author ſo happily expreſs, and in ſuch a variety of inſtances, that curious correſpondence between ſenſe and ſound, in which its grand excellence conſiſts. His cadences are ſometimes ſo melodious and grateful to the ear, that they may be compared to the ſoft and melliſluous breathings of a flute; and at other times, ſo full and powerful, as to reſemble the animating ſounds of the trumpet. Every paſſion and affection of the mind aſſumes that preciſe tone, which is peculiarly ſuitable to it: and the accents of grief, rage, love, pity, indignation, and deſpair, it is ſcarcely too much to ſay, are

to

to be diſtinguiſhed with no leſs eaſe and certainty by the various flow of the numbers, than the preciſe ſenſe of the paſſages from the words. But it may be proper to ſubjoin a few ſpecimens of this *curious fidelity* in his verſification, which may ſerve at once as proofs and illuſtrations of what has been advanced. How ſlow and mournful is the movement of the following lines!

Conſt. What doſt thou mean by ſhaking of thy head?
Why doſt thou look ſo ſadly on thy ſon?
What means that hand upon that breaſt of thine?
Why holds thine eye that lamentable rheum?
Be theſe ſad ſighs confirmers of thy words? &c.

K. JOHN.

How ſtriking the tranſition to the language of fury and revenge!

Arm, arm, ye heavens, againſt theſe perjur'd kings.
Oh that my tongue were in the thunder's mouth!
Then with my paſſion would I ſhake the world, &c.

IBID.

One would imagine that Shakeſpeare was deſcribing in theſe charming lines, the very effect which they are made to produce.

That ſtrain again; it had a dying fall;
Oh! it came o'er my ear, like the ſweet South,
That breathes upon a bank of violets,
Stealing, and giving odour.

TWELFTH NIGHT.

But in what bold and ſounding language are the grand and magnificent ideas expreſſed which are conveyed in the following lines;

> Ye elves of hills, &c.——— by whoſe aid,
> Weak maſters tho' ye be—I have bedimm'd
> The noon-tide ſun, call'd forth the mutinous winds,
> And 'twixt the green ſea and the azured vault
> Set roaring war; to the dread rattling thunder
> Have I given fire, and rifted Jove's ſtout oak
> With his own bolt; the ſtrong bas'd promontory
> Have I made ſhake, and by the ſpurs pluck'd up
> The pine and cedar. THE TEMPEST.

It ſeems ſcarcely poſſible to pronounce the following line and half in a tone of voice much above a whiſper;

> Pray you tread ſoftly, that the blind mole may not
> Hear a foot fall. IBID.

How gay and pleaſing the turn of the verſe, when Romeo's dreams "preſage ſome joyful news at hand"—

> My boſom's lord ſits lightly on his throne,
> And all this day an unaccuſtom'd ſpirit
> Lifts me above the ground with cheerful thoughts.

How ſoft and tender the accents of love in this and a thouſand other paſſages—

> ——— Oh hear me breathe my love
> Before this ancient Sir, who it ſhould ſeem
>
> Hath

Hath ſome time lov'd. I take thy hand, this hand
As ſoft as dove's down, and as white as it,
Or Ethiopian's tooth, or the fann'd ſnow
That's bolted with the northern blaſt thrice o'er.

WINTER'S TALE.

But enough of quotations. It were eaſy to enlarge on the admirable ſentiments and maxims of morality with which his works abound: it has been truly obſerved, that a perfect ſyſtem of ethics might be extracted from them. Nor were it more difficult to expatiate on the ſkill with which, notwithſtanding his ignorance or negligence of the Ariſtotelian code, he conducts and combines the different branches of his fable; to extol the variety and brilliancy of his wit; and perhaps with ſtill greater juſtice the depth and ſolidity of his judgment; diſplaying itſelf in the moſt profound and ſagacious reflections, and moſt accurate and demonſtrative reaſonings. But in theſe reſpects other writers have, it muſt be acknowledged, advanced if not to an equality, at leaſt much nearer to an equality, than they have been able to attain in the points already mentioned—in the firſt and greateſt characteriſtics of genius, the power of moving the paſſions and enchaining the attention; in the faculty of inventing and pourtraying characters, that fundamental excellence of the drama; in the beauty and energy of ſtile, and diction, and imagery,

imagery, and in the power of numbers, and felicity and facility of verſification.

The merit of the French writers is indeed very great. In every walk of literature, and particularly in the dramatic, they have by their ingenious productions done the higheſt honor to themſelves and to their country. Had we not a Shakeſpeare to boaſt, none of our tragic pieces, unleſs an exception be made in favor of Venice Preſerved and the Orphan, could juſtly be put in competition with Cinna, Polieucte, Athalie, Iphigene, and many other pieces of Corneille and Racine which might be enumerated. But Corneille and Racine themſelves ſtand at a much greater diſtance from Shakeſpeare, than Rowe, or Otway, or Fletcher from them. For one Shakeſpeare nature forms many Corneilles, and we might as ſoon expect to ſee another Newton in philoſophy as another Shakeſpeare in dramatic poetry.

M. Voltaire affirms indeed, that Lopez de Vega was two hundred years ago in Spain what Shakeſpeare was in England. This aſſertion few will pretend of their own knowledge to controvert. But as the *ipſe dixit* of M. Voltaire does not amount to abſolute demonſtration, it may be pardonable to ſuſpend our belief of it till good ſenſe and good taſte become prevalent in Spain as they now are in England. And when that period

period arrives, if Lopez-de-Vega continues as much the object of admiration as at present, the universal opinion of so enlightened a nation will undoubtedly form the highest presumption, that his genius was of the highest class, and that his name and works are destined to immortality. This presumption now exists in favor of Shakespeare. He may be considered as only entering his career of fame and glory, and to adopt the words of an animated writer, "when the very name of Voltaire, and even the memory of the language in which he has written shall be no more, the Apalachian mountains, the banks of the Ohio, and the plains of Sciota shall resound with the accents of this barbarian."

Ben Jonson has been accused of giving a scanty and reluctant tribute of applause to his great rival; but there is in his eulogium one line, one prophetic line, which shews that he perfectly understood, and freely acknowledged his transcendant merits—

> "He was not for an age, but for all time."

And without question he is entitled to a place in the highest rank of that illustrious band—

> "Whose honors with increase of ages grow,
> As streams roll down enlarging as they flow;
> Nations unborn his mighty name shall sound,
> And worlds applaud that must not yet be found."

ESSAY XXXIII.

ON STILE AND VERSIFICATION.

MR. Addiſon has moſt elegantly and juſtly obſerved, that, "there is as much difference between comprehending a thought clothed in Cicero's language, and that of an ordinary writer, as between ſeeing an object by the light of the taper or the light of the ſun." What is it then that diſtinguiſhes the ſtile of Cicero from that of an ordinary writer? Or, to generalize the queſtion, What is it that conſtitutes beauty of ſtile? Beauty is that quality in objects, the view or contemplation of which, abſtracted from its utility, excites pleaſurable emotions. It is plain therefore that beauty is a relative and not a real quality; and it muſt be as various, as the different taſtes and ſentiments of all the different individuals of mankind. Yet that *taſte*, by which is meant our capacity for diſcerning beauty, is not as applied to literature wholly capricious and arbitrary, may be inferred from an appeal to certain facts which incontrovertibly demonſtrate, that the productions of various writers for a long ſucceſſion of ages have actually excited very lively emotions

emotions of pleaſure in the minds of a great majority of thoſe, who are capable of underſtanding them. And that a great proportion of this pleaſure ariſes from the beauty of the language in which they expreſſed their ideas, evidently appears from this conſideration alone, that the ſame ſentiments tranſlated into other language ceaſe to charm, or at leaſt to excite the ſame kind and degree of delight.

Of this claſs of writers we may reckon Homer, Virgil, Demoſthenes, Cicero, Livy, Horace, Terence, and innumerable other Grecian and Roman writers, who are univerſally regarded as the grand models of literary excellence. Here then we ſeem to approach to ſomething which reſembles a ſtandard of beauty, as it relates to ſtile. For if there are thoſe who ſeem to derive no pleaſure from theſe exquiſite performances, or who even feel a degree of diſguſt or *tædium* from the peruſal of them, the inſtances are ſo few, that we make not the leaſt ſcruple to neglect and deſpiſe their cenſures, regarding them as men whoſe minds are not framed for the perception of beauty, and who are totally incompetent to decide upon any queſtions relative to it. But in reality, notwithſtanding this general coincidence of opinion, when we attempt to analyze and compare our ideas, we quickly diſcover, that while we uſe the ſame expreſſions, there

often ſubſiſts a very conſiderable difference of ſentiment, and that every man has erected a ſtandard of taſte and beauty in his own mind, to which he has a ſecret reference; though he adopts in common with others the ſame vague and indeterminate expreſſions of applauſe and cenſure. However true in the abſtract, that a good ſtile conſiſts of "proper words in proper places," it ſtill remains as difficult as ever, upon any fixed principles, to decide what are the proper words and where the proper places. And it has been obſerved with no leſs juſtice than wit, that this definition conveys in it as little real information, as if a teleſcope were deſcribed, as an inſtrument conſiſting of proper glaſſes in proper places; and yet Swift knew as well as any man the difference between a good and a bad ſtile, and if it was capable of being defined, as capable of defining it.

Hume truly obſerves, that the firſt elegant proſe in our language was written by Swift. Mr. Melmoth, indeed, inclines to pay that compliment to Sir William Temple, but without adequate reaſon. Sir William Temple is certainly a name, to which it is difficult not to be partial. He was at once a man of faſhion, a man of letters, and a man of buſineſs; and in each of theſe different characters he excelled. But if we conſider him merely as a model of claſſical

claſſical compoſition, we are in danger of being a little impoſed upon, our judgments being inſenſibly influenced and biaſſed by circumſtances to which we do not immediately advert. In reading the works of Sir William Temple, we perceive that he was a man, perfectly converſant with the great world. We know that he was poſſeſſed of the politeſt manners and addreſs, and his mode of writing is free, eaſy and amuſing, without any tincture of affectation or pedantry; ſo that we eaſily perſuade ourſelves, that his ſtile is graceful; and his ſoleciſms, his uncouth periods, and aukward phraſes paſs for the caſual ſlips of an elegant but careleſs writer.

The occaſional inſpection of any tract of Sir William Temple will furniſh proofs of the juſtice of theſe remarks. A few inſtances may be ſelected from his conſolatory Epiſtle to the Counteſs of Eſſex, upon the loſs of her only daughter. After making ſome apologies for not anſwering at a more early period a letter received from her, he adds, "your ladyſhip, at leaſt, has had the advantage of being thereby excuſed ſome time from this trouble, which I could no longer forbear, upon the ſenſible wounds that have ſo often of late been given your friends here, by ſuch deſperate expreſſions in ſeveral of your letters, &c."—"God Almighty gave you all the bleſſings of life, and you ſet your

heart wholly upon one, and deſpiſe and undervalue all the reſt; is this his *fault* or yours?"—Again, "paſſions, are the ſtings without which, they ſay, no honey is made: yet I think all ſorts of men have ever agreed, they ought to be our ſervants and not our maſters; to give us ſome agitation for entertainment or exerciſe, but never to throw reaſon out of its ſeat." Theſe oppoſite and incongruous metaphors bear no remote analogy to the happy ductility of Polonius, who thinks the ſame cloud very like an ouzel, very like a camel, and very like a whale. Once more; "How has my Lord of Eſſex deſerved, that you ſhould go about to loſe him a wife, he loves with ſo much paſſion; and which is more, with ſo much reaſon: ſo great an honour and ſupport to his family, ſo great a hope to his fortune, and comfort to his life?" To go about to loſe my Lord of Eſſex a wife, is a ſpecies of phraſeology ſo quaint and comic, that one would ſuppoſe, her ladyſhip in the midſt of her affliction could not but "ſmile in weeping."

Some parts of this Epiſtle, however, are very beautifully written; and it would appear invidious to quote ſo amiable a writer merely for the purpoſe of cenſure. "I know no duty in religion," ſays he, in a very dignified and rational ſtrain of devotion, "more generally agreed on, or more juſtly required by God Almighty, than a perfect

a perfect submission to his will in all things. Nor do I think any disposition of mind can either please him more, or become us better, than that of being satisfied with all he gives, and contented with all he takes away. None, I am sure, can be of more honor to God, nor of more ease to ourselves. For if we consider him as our Maker, we cannot contend with him; if as our Father, we ought not to distrust him. So that we may be confident whatever he does is intended for our good; and whatever happens that we interpret otherwise, yet we can get nothing by repining, nor save any thing by resisting."

And in very moving and tender terms he in a subsequent part of the Epistle adds—"After all, Madam, I think your loss so great, that would all the passionate complaints, all the anguish of your heart do any thing to retrieve it; could tears water the lovely plant so as to make it grow again after once it is cut down; would sighs furnish new breath, or could it draw life and spirits from the wasting of yours, I am sure your friends would be so far from accusing your passion, that they would encourage it as much and share it as deeply as they could: but alas! the eternal laws of the creation extinguish all such hopes," &c.

Nor was this celebrated author deficient at times in elevation and energy of diction. In his

Eſſay "Of Heroic Virtue," ſpeaking of the ancient Goths, he tells us that, conformable to the opinions entertained by that people, "all who gave themſelves to warlike actions and enterprizes, to the conqueſt of their neighbours, and ſlaughter of enemies, and died in battle or of violent deaths, went immediately to the vaſt hall or palace of Odin, where they were entertained in perpetual feaſts of mirth, carouſing every man in bowls made of the ſculls of the enemies they had ſlain, according to which every one in theſe manſions of pleaſure was the moſt honored and the beſt entertained."

And in farther deſcribing this formidable nation he ſays, "Their bodies were hard and ſtrong; their minds rough and fierce; their numbers infinite: but beſides theſe advantages, their courage was undaunted, their buſineſs was war, their pleaſures were dangers, their very ſports were martial. Their diſputes and proceſſes were decided by arms; they feared nothing but too long life, decays of age, and a natural or ſlothful death."

Upon the whole, Sir William Temple muſt be regarded as one of the great improvers of our language; and his literary defects reſult not from any deficiency of talents, but from the want of better and juſter models, the general imperfection of the national taſte, and the arts of literary

rary refinement. But a far higher praiſe than this may Sir William Temple juſtly claim. He was one of the wiſeſt, the moſt candid and diſintereſted ſtateſmen of the age in which he lived: and he was able without affectation or oſtentation, in the calm and radiant evening of his life, to ſay, "Among many great employments that have fallen to my ſhare, I have never aſked or ſought for any one of them; but often endeavored to eſcape from them into the eaſe and freedom of a private ſcene, where a man may go his own way, and his own pace, in the common paths or circles of life."

As the reſult of the whole we may venture to conclude, that beauty of ſtile, or the art of compoſition, depending upon a certain occult quality in language, or rather an inexplicable delicacy of perception and vigour of intellect, is not to be acquired by rules; although rules are not to be therefore rejected as ſuperfluous or uſeleſs. An author who writes by rule, as has been obſerved, will undoubtedly avoid groſs errors; but he cannot by the mere obſervance of rules attain to poſitive beauties. Nothing ſhort of true original genius, improved and cultivated by a correct taſte, can ever hope ſucceſsfully to attempt that bold and glowing ſtile of compoſition which we ſo much admire in the productions of the great maſters of eloquence.

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"The thoughts that breathe, and words that burn," do not fall to the lot of ordinary writers, and it ſhews a great defect of judgment generally ſpeaking to aſpire to them. Are then perſons of this claſs to ſit down in deſpair of ever being able to expreſs their ſentiments with eaſe, propriety and elegance? By no means. We have innumerable examples of ſuch as, by care and attention alone, have in this reſpect excelled many of far ſuperior genius, who unhappily deſpiſed and depreciated this ſtudy, as paying that regard to words which is due only to things. All that it is proper to contend for is this; that though a ſtile which merits approbation may be acquired by diligence, a ſtile which commands admiration cannot. Men ſhould be cautious, therefore, of aiming at the higher graces of compoſition, *according to the too prevailing faſhion of the age*, when by limiting their views to purity, perſpicuity and ſimplicity, they might with much leſs effort appear in a light far more reſpectable. An acquaintance with the rules of compoſition is no doubt of indiſpenſable importance; but after all, the beſt method of acquiring a taſte for the beauties of ſtile and language, is by an attentive and repeated peruſal of the beſt authors, by a careful compariſon of the productions of different writers, and by imitating in our own performances the ſtile and manner of thoſe admired

mired maſters of compoſition, ſo far as they are properly imitable by thoſe who do not poſſeſs their ſuperiority of parts and genius.

Experience fully evinces, that it is very poſſible for a man to poſſeſs an elegant and claſſical taſte with reſpect to the beauties of ſtile and compoſition in one language, and to be utterly deſtitute of it in another. A clear proof how much the deciſions of taſte depend upon the faculty of aſſociation. One can ſcarcely imagine that if Ogilby, Hobbes and Chapman, had not derived a ſenſible pleaſure from the poems of Homer, or Milbourne and Trapp from thoſe of Virgil, that they would have engaged in the laborious taſk of tranſlating thoſe divine authors. And it is well known that a very general taſte for the beauties of the ancients prevailed long before the moderns had learned to expreſs their ideas in their vernacular languages with grace or propriety. And indeed the languages themſelves were moſt unjuſtly held in contempt, as little better than barbarous jargon, and ſuppoſed to be wholly undeſerving of attention, and incapable of improvement. This prejudice is, however, greatly on the decline; and it is generally allowed, that divers of the modern tongues may juſtly pretend to a rivality with the admired languages of antiquity. The Engliſh language in particular is ſufficiently copious to expreſs all

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our ideas with great force and elegance; and with an accuracy and precifion to which the Latin tongue is a ftranger. Its genius feems to refemble that of the people by whom it is fpoken. The great characteriftics of it are ftrength and energy; but it is very fufceptible of the gentler graces. There is a foftnefs, fweetnefs, and delicacy of ftile, to which feveral of our favorite writers, both in poetry and profe, have attained, which fufficiently refcue it from the reproach of harfhnefs or diffonance. There is, moreover, a boldnefs and freedom in the idiom of our native tongue, which admits of the adoption of new terms and combinations of words, in a degree which perhaps no other is capable of. And the admirable powers and properties of the Engliſh language, as diſplayed in the whole extent of verſification, are ſuch as to merit a diſtinct and ſpecific inveſtigation.

VERSIFICATION may properly be conſidered as the ſtile of poetry; or the art of compoſition in metre: and though the taſte, or mental perception of beauty or deformity, is, in this caſe, affected by ſtill more lively emotions of diſguſt or admiration than proſe has power to excite, the ultimate cauſes of thoſe emotions are enveloped in exactly the ſame degree of darkneſs.

It

It is indeed perhaps ſomewhat more eaſy to lay down rules or reaſons, by which we are ſuppoſed to be influenced, in forming our judgments reſpecting the beauty of ſtile in poetry than in proſe. The "Canons of Criticiſm," for inſtance, inform us, 1ſt, That verſification, in order to pleaſe, muſt be ſmooth and harmonious, exact without ſtiffneſs, and eaſy without negligence. 2dly, That uniformity ſhould be blended with variety; and while the firſt is obſerved, in adhering to the ſame preciſe number of poetical feet in each verſe or ſtanza, the latter ſhould be ſtudied in the pauſes, cadences, and accents. 3dly, That the ſound ſhould, as far as poſſible, be made to coincide with the ſenſe; from which coincidence ariſes what is called imitative harmony; and in general, that the emotion excited by the tone of the verſe, ſhould accord with the emotion excited by the ſentiment expreſſed or the object deſcribed. It were not difficult to add a multiplicity of rules of the ſame kind, exemplifying them by an induction of particular paſſages, and expatiating learnedly upon each; or it were equally eaſy to quote paſſages without end, and to point out beauties without number; and to ſupport our opinion by a reference to the ſame rules, which would in that caſe be converted into reaſons. But it is to be feared that no great addition is

made to real knowledge by this ſort of information. For either the rules themſelves are liable to ſuſpicion, as not ſufficiently confirmed by fact and experience, or if they are univerſally received as true, it is not the leſs difficult to demonſtrate that they have their origin and foundation in reaſon.

The end of poetry is to pleaſe; and it is by an appeal to taſte, and not to reaſon, that the queſtion muſt be decided whether that end be actually attained. To decry all rules of poetical compoſition as impertinent or uſeleſs, would nevertheleſs be running into a very abſurd extreme. As there is a certain degree of uniformity in our mental feelings and perceptions, there is a real foundation for that uniformity; and it is both entertaining and inſtructive, by any fair proceſs of induction, to point out the immediate, though we cannot trace the ultimate cauſes of thoſe uniform emotions of diſguſt or admiration; which is in effect to point out the means of avoiding or exciting them. Or, in other words, it is to eſtabliſh certain fixed rules of compoſition upon the authority of experience; but the pedantry of appealing to ſpeculative principles in oppoſition to the deciſions of taſte, and the vanity of attempting to demonſtrate by argument, in defiance of feeling, that men ought or ought not to admire, are equally to be avoided.

The

The affectation of judging in matters of taſte, chiefly or ſolely by rule, is a foible which pervades and diſcolours a work of great and acknowledged merit and ingenuity—"The Elements of Criticiſm." Lord Kaims, with great acuteneſs of underſtanding, was not remarkable for delicacy of taſte; or tremblingly alive to the finer ſenſibilities of the ſoul. And the cold and ſubtile diſcriminations of the metaphyſician, are ſcarcely compatible with thoſe glowing ſympathies which diſtinguiſh that high claſs of critics who have imbibed the genuine ſpirit of Quintilian and Longinus.

VERSE may be defined as a ſpecies of compoſition, in which the arrangement of words is ſubject to certain preciſe rules; and the ear, as Lord Kaims obſerves, muſt be appealed to as the proper judge for deciding upon the effect produced by theſe rules. In ſhort, the eſſential difference between verſe and proſe conſiſts in the meaſure; for if we admit ſuch performances as Telemaque or Fingal into the claſs of poems, how is it poſſible to draw any preciſe line between theſe two ſpecies of compoſition. Of all the different kinds of verſe known in Engliſh poetry, *blank verſe* is undoubtedly entitled to be firſt mentioned, as firſt in dignity and importance. M. Voltaire has obſerved, that blank verſe is of ſo looſe a texture, that it coſts no-

thing but the trouble of writing; upon which account he ſeems to intend to repreſent it as ſcarcely worth the trouble of reading; or as far inferior at leaſt to French heroic verſe, which conſiſting of four regular anapeſts, and admitting little or no variation of pauſes, accents, or arrangement, is conſequently of much more difficult conſtruction. But this difficulty ſurmounted, he pretends is the ſource of great delight to every reader of taſte; a ſtrange criterion indeed by which to judge of the comparative merit of theſe two kinds of verſification. If that mode of compoſition which is moſt difficult in itſelf, be upon that account moſt pleaſing, our greateſt poets ought no doubt to have retired into "ſome peaceful province of Acroſtic land."

> "There they might wings diſplay, and altars raiſe,
> And torture one poor word ten thouſand ways."

It is certainly true, that blank verſe is very eaſy to write; but for this reaſon it is as certainly the more difficult to excel in writing it. Such blank verſe as M. de Voltaire himſelf has given us a ſpecimen of, is no doubt, to do him juſtice, truly contemptible. But if M. Voltaire had been competently qualified to criticiſe upon Engliſh poetry, he would have known that the blank verſe of Milton and Shakeſpeare is, of all the various

various meaſures, practiſed among us, that which is moſt difficult of imitation. Blank verſe has ſo near an affinity to proſe, that it requires the moſt conſummate ſkill and judgment in the arrangement of the periods, as well as the utmoſt force and elevation of language to preſerve the diſtinction between them. But when the requiſite proportion of ſkill and genius is exerted, and that degree of perfection attained, which genius conducted by application never fails to reach, the wonderful effects of this ſpecies of poetical compoſition become fully apparent: and we admire the verſification of the "Paradiſe Loſt," not becauſe Milton has ſurmounted great difficulties, for this alone is a very weak foundation of applauſe; but becauſe he has attained to poſitive beauties of the moſt exquiſite kind. Doubtleſs that egregious pedant, who took the trouble to tranſlate the Iliad, and in each of the twenty-four books omitted ſome one letter of the alphabet, ſurmounted a difficulty of great magnitude; but is he therefore the ſubject of our admiration or deriſion? The truth is, that the conqueſt of difficulties is never a ſource of pleaſure, at leaſt to men of refinement, except ſome purpoſe either of uſe or beauty is accompliſhed by it. But when any ſuch purpoſe is effected, the emotion of wonder excited by the removal of the difficulty, agreably to the laws of aſſociation, blends

itſelf with the emotion of eſteem or admiration excited by the contemplation of utility or beauty: and the complex emotion acquires by this conjunction an high degree of force and vigour. Thus our admiration of the Miltonic verſification, which is in itſelf exquiſitely beautiful, is very much heightened by our knowledge of the extreme difficulty of ſucceeding in that meaſure: but the difficulty of writing French heroic verſe, does not by any analogy induce us to admire the verſification of the Henriade, which is in itſelf tame, languid, and monotonous.

If it ſhould now be aſked, what are thoſe beauties of which blank verſe is ſuſceptible, and for which it is ſo much celebrated? we may reply in a few words, majeſty, melody, and variety. Not even the hexameter of the antients poſſeſſes perhaps the property of majeſty in an equal degree. The hexameter is no doubt a very noble poetical meaſure, but it does not ſeem capable of that long-continued pomp of ſound of which we have ſo many examples in our great poets: and the following verſes of Milton will appear in this view to great advantage in the compariſon with any equal number of hexameters from the Æneid.

—— "The great Creator from his work
Deſiſting, tho' unwearied, up return'd;
Up to the heaven of heavens, his high abode,

Thence

Thence to behold this new-created world,
Th' addition of his empire, how it ſhewed
In proſpect from his throne—how good, how fair,
Anſwering his great idea. Up he rode
Followed with acclamations, and the ſound
Symphonious of ten thouſand harps, that tun'd
Angelic harmonies. The earth, the air,
Reſounded: thou remember'ſt, for thou heard'ſt:
The heavens and all the conſtellations rung;
The planets in their ſtations liſtening ſtood
While the bright pomp aſcended jubilant.
Open, ye everlaſting gates, they ſung;
Open, ye heavens, your living doors; let in
Your great Creator, from his work return'd
Magnificent; his ſix days work, a world."

The monotonous cloſe of the hexameter, though it may be diſguiſed in a great meaſure for a few lines, by the ſurpriſing variety it is capable of in other reſpects, cannot fail to ſtrike the ear upon frequent repetition; and in the recital of long paſſages to cauſe unſeaſonable interruptions to what Pope ſtiles "the long reſounding march and energy divine." To compare blank verſe with our own, or with the French heroic couplet, in this reſpect were wholly ſuperfluous.

But blank verſe, in the blank verſe of Milton and Shakeſpeare, is no leſs remarkable for its melody than its majeſty! This property of blank verſe ariſes from the unbounded liberty the poet enjoys of varying his pauſes and extending

his periods ſo as to produce the utmoſt fulneſs and harmony of cadence: and in this reſpect it has a manifeſt advantage over the heroic couplet as well as the hexameter. It would be difficult to find any equal number of hexameters or couplets ſo melodious or grateful to the ear, as the paſſage juſt quoted from Milton. It indeed poſſeſſes the three great characteriſtics of that ſpecies of verſe in high perfection. Upon the laſt of thoſe characteriſtics it is ſuperfluous to expatiate. As oppoſed to the hexameter meaſure, and the heroic couplet, its variety evidently ariſes from its happy exemption from the neceſſity of an uniform cloſe. For the perpetual recurrence of the dactyl and the ſpondee is ſcarcely leſs fatiguing to the ear, however ſuperior the hexameter may be deemed in other reſpects, than what Dryden ſtiles the *tinkle* in the cloſe of the couplet.

The Engliſh heroic couplet, unable as it is to ſtand the compariſon with blank verſe or the hexameter, is nevertheleſs far from being deſtitute of force or beauty. It is capable of ſome variety in its accents, and very great diverſity in its pauſes. It is lively, vigorous, and animated; and particularly adapted to gay and airy ſubjects, of which "the Rape of the Lock" is a deciſive proof. It ſeems not to admit of any conſiderable inverſion of language; but Dryden,

in

in numerous inſtances, has very happily indulged himſelf in the liberty of running one couplet into another, by which means he has added wonderfully to the ſpirit, freedom, and energy of his verſe. Lord Kaims indeed aſſerts, that every couplet ought to finiſh with ſome cloſe in the ſenſe, aſſigning as a reaſon, "that as every couplet muſt of courſe conclude with a muſical clauſe, if it is accompanied by a pauſe in the ſenſe, the coincidence gratifies at the ſame time the ear and underſtanding." This remark is juſt, if applied to a ſingle couplet, but ſurely it is not neceſſary to have our ears purged by an archangel *with euphraſy and rue*, to be ſenſible how much the petty pleaſure ariſing from ſuch coincidence is over-balanced by the additional delight we derive from that variety and animation, which are the reſult of occaſional deviations from this rule. In confutation of this criticiſm, it is ſufficient to cite the initial paragraph of Dryden's well known poem of the Hind and Panther.

A milk-white hind, immortal and unchang'd,
Fed on the lawns, or on the foreſt rang'd;
Without unſpotted, innocent within,
She fear'd no danger, for ſhe knew no ſin;
Yet had ſhe oft been chas'd with horns and hounds,
And Scythian ſhafts; and many winged wounds
Aim'd at her heart; was often forc'd to fly,
And doom'd to death, tho' fated not to die.

But the faſtidious delicacy of Lord Kaims, would not allow the ſlighteſt muſical pauſe to intervene between an adjective and ſubſtantive, a ſubſtantive and verb, or a verb and adverb. Who would ſuſpect the following lines of Pope to be faulty?

> In theſe deep ſolitudes and awful cells,
> Where heavenly-penſive contemplation dwells,
> And ever-muſing melancholy reigns.

They always however appeared to Lord Kaims exceptionable, on account of the pauſe interjected between the verb and conſequent ſubſtantive; and his Lordſhip, after a great deal of deep thinking, doubtleſs was at laſt fortunate enough, as he informs us, to diſcover a reaſon in ſupport of his taſte. "Between the active ſubſtantive and the verb placed in their natural order, there is no difficulty of interjecting a pauſe, becauſe an active being is not always in motion, and therefore it is eaſily ſeparable in idea from its action: but when by inſertion the verb is placed firſt, is it *lawful* to ſeparate it by a pauſe from the active ſubſtantive?" To this curious queſtion his Lordſhip anſwers poſitively, "No; becauſe an action is not in idea ſeparable from the agent more than a quality from the ſubject to which it appertains."

To

To paſs over theſe frivolities, it is certain that Pope has weakened the general effect of his poetry very conſiderably, by adhering too cloſely to the rule ſpecified by Lord Kaims, reſpecting the propriety of concluding every couplet by a pauſe in the ſenſe, as well as in the muſic. It has given his verſification an air of tameneſs and uniformity, and in this as well as other characteriſtics of poetic genius, his inferiority to Dryden is very apparent; though he perhaps more than compenſates for this inferiority by the *limæ labor* which appears ſo conſpicuous throughout all his works. Dryden was a writer to the laſt degree negligent and incorrect. He was alſo, in many inſtances, unhappy in the choice of his ſubjects, and his ſentiments are frequently exceptionable, ſometimes abſurd and extravagant. Pope was, as an elegant critic (Dr. Warton) has ſtiled him, "the Poet of Reaſon," and in peruſing his productions the underſtanding is improved, while the imagination is delighted. But ſtill it muſt be allowed, that the ſacred mantle which deſcended from Shakeſpeare to Milton, and which Dryden after them wore with dignity, cannot be adjudged without ſome heſitation to Pope.

Next to blank verſe and the heroic couplet, the elegiac ſtanza ſeems to poſſeſs the greateſt ſhare of importance and popularity. It has a

kind of plaintive flow, which renders it peculiarly ſuitable to tender and melancholy ſubjects. Hammond and Shenſtone, and above all Gray, have been particularly ſucceſsful in this ſpecies of verſification. In the laſt century, this ſtanza was very erroneouſly conſidered as ſuperior in dignity to the heroic couplet; and it was accordingly adopted by Sir William D'Avenant, in his Epic poem of GONDIBERT, and by Dryden in his "Annus Mirabilis," and in other compoſitions of the ſame caſt.

The Spenſerian ſtanza muſt be allowed to exhibit a certain air of ſtatelineſs, and it is not deficient in force or harmony, but it ſoon palls upon the ear by its uniformity. There ſeems to be a ſort of analogy, remote and ſomewhat fanciful indeed, between the ſtanza of Spenſer and the ſubject of his poem, ſufficient however to prevent our regretting the choice he has made; a kind of ſtiff, formal, and obſolete magnificence ſeems to predominate in both. This difficult ſtanza has been very happily revived by ſome modern writers, particularly by Thomſon in his Caſtle of Indolence, and by Dr. Beattie in the firſt book of the Minſtrel.

It is rather ſingular that the French heroic couplet, conſiſting of four anapeſts, ſhould never be uſed amongſt us but on ſubjects of mirth and gaiety, and with the utmoſt propriety. What can be

be deemed, for inſtance, more perfect in its kind than the verſification of the Bath guide? But ſurely no admirer of that exquiſite *jeu d'eſprit* will deny that the firſt couplet of the Henriade,

> " Je chante ce héros qui regna ſur la France,
> Et par droit de conquête, et par droit de naiſſance,"

is as little adapted to the majeſty of the Epopeia as,

> " But what with my Nivernois hat can compare,
> My bag-wig and laced ruffles, and black ſolitaire?"

The regular Pindarics of Grey and Collins are entitled to an high degree of applauſe; and notwithſtanding the ſeverity of Dr. Johnſon's criticiſm, many irregular efforts of the Pindaric muſe may alſo be read with great pleaſure. Excluſive of Dryden's immortal Ode, which far tranſcends all praiſe, the Lycidas of Milton, Lord Lyttleton's Monody, Shaw's Ode to the Nightingale, and many other productions might be mentioned, which ſufficiently demonſtrate that regularity of metre is not eſſential to poetic excellence.

It would not be eaſy to enumerate all the different kinds of verſification in uſe amongſt us. Of thoſe not already ſpecified, perhaps the Hudibraſtic couplet is moſt valuable, as admirably calculated for burleſque poetry. Prior, in his Alma,

Alma, has ſhewn himſelf ſcarcely inferior to Butler in his dextrous management of it.

Though the warmeſt admirers of Pope have never exalted him to the rank of the greateſt poet, he has often been ſtiled the beſt verſifier in the Engliſh language. If by the beſt is only meant the moſt poliſhed and correct verſifier, it is not difficult to acquieſce in the panegyric. But if his mode of verſification is ſtiled the beſt, as affording the higheſt degree of delight, it can by no means be allowed. In this reſpect Shakeſpeare, Milton, and Dryden, all rank much above him. Pope does not ſufficiently conceal his art; he wants ſimplicity. The flow of his verſe, though very harmonious, is ſeldom tender and pathetic, and ſtill leſs frequently lofty and majeſtic. In his tranſlation of the Iliad, however, he riſes to very ſublime heights. It is a wonderful performance, far ſuperior no doubt to the Æneid of Dryden, or probably to any other tranſlation that ever appeared in the world. By comparing a few parallel paſſages tranſcribed from the verſion of Pope, and the wretched doggrel of Hobbes, the pleaſure of contraſt may be enjoyed in perfection, and the reader may contemplate at once the extremes of poetic elegance and meanneſs.

Book I. Ως ἔφαθ' ὑκόμενος τῦ δ' ἔκλυε Φοῖβος Ἀπόλλων, &c.

His * prayer was granted by the Deity,
Who with his ſilver bow and arrows keen,
Deſcended from Olympus ſilently,
In likeneſs of the ſable night unſeen.
His bow and quiver both behind him hang;
The arrows chink as often as he jogs,
And as he ſhot, the bow was heard to twang, &c.

Hobbes.

Thus Chryſes pray'd—the favoring power attends,
And from Olympus' lofty tops deſcends;
Bent was his bow the Grecian hearts to wound,
Fierce as he mov'd his ſilver ſhafts reſound;
Breathing revenge a ſudden night he ſpread,
And gloomy darkneſs roll'd around his head.
The fleet in view he twang'd his deadly blow, &c.

Pope.

Id. Πατροκλος δε φιλω επεπειθεθ' εταιρω, &c. &c.

This, ſaid Patroclus, led Briſeis forth,
And to Atrides' meſſengers her gave,
She with them went, though much againſt her heart,
Achilles from his friends went off and pray'd;
And ſitting with his face to th' ſea apart,
Weeping unto his mother Thetis, ſaid, &c.

Hobbes.

Patroclus now, th' unwilling beauty brought,
She in ſoft ſorrows and in penſive thought
Paſt ſilent, as the heralds held her hand,
And oft look'd back, ſlow moving o'er the ſtrand.

Not

* Chryſes.

Not ſo his loſs the fierce Achilles bore,
But ſad retiring to the ſounding ſhore,
O'er the wild margin of the deep he hung,
That kindred deep from whence his mother ſprung;
There bathed in tears of anger and diſdain,
Thus loud lamented to the ſtormy main.

POPE.

Id. Ημος δ' ηελιος κατεδυ, και επι κνεφας ηλθε, &c. &c.

But when the ſun had borne away his light,
Upon the ſands they laid them down to ſleep;
And when again Aurora came in ſight,
Again they launch their ſhip into the deep.
A good fore-wind Apollo with them ſent;
Then with her breaſt the ſhip the water tore,
Which by her down on both ſides roaring went,
And ſoon arrived at the Trojan ſhore.

HOBBES.

Twas night; the chiefs beſide the veſſel lie,
Till roſy morn had purpled o'er the ſky;
Then launch and hoiſt the maſt; indulgent gales,
Supplied by Phœbus, fill the ſwelling ſails.
The milk-white canvas bellying as they blow,
The parted ocean foams and roars below.
Above the bounding billows ſwift they flew,
Till now the Grecian camp appear'd in view.

POPE.

But quotation muſt not be farther extended, while names of conſpicuous merit, on the rolls of poetic fame, ſtill claim their ſhare of attention.

Had Cowley's judgment borne any proportion to his genius, he would unqueſtionably have been

been entitled to a very high rank in the public eſtimation, which indeed, while the public judgment was as yet immature, he actually enjoyed. In the preſent improved ſtate of verſification, we have few productions of the Engliſh muſe more ſoft, more gay, more airy, than his Anacreontics, his Acme and Septimius, and his Chronicle. On the other hand, in the pathetic and plaintive ſtile, few pieces exhibit a more mournful flow of numbers than his Elegy on Harvey, the poem ſtiled the Complaint, and ſome others. He knew how to expreſs as well as feel the moſt tender, as well as the moſt lively emotions of the ſoul.

> " Forgot his Epic, nay Pindaric art,
> Yet ſtill we love the language of his heart."

Waller muſt be regarded as greatly inferior to Cowley in genius; but he poſſeſſed a more correct taſte and truer judgment. His verſification, when compared with that of the majority of his predeceſſors, is eminently ſmooth and harmonious; and he contributed much to poliſh and refine the elegant art which he cultivated.

Thomſon's celebrated poem, The Seaſons, enjoys a reputation at leaſt equal to its merit. As Pope has been called the Poet of Reaſon, Thomſon may with equal juſtice be ſtiled the Poet of Nature. He ſurveyed her various

ſcenes with a curious and attentive eye, and he deſcribes them with warmth, accuracy and fidelity; and in this the real excellence of his work conſiſts. When Thomſon is not deſcribing or moralizing, he is no poet. When he aims at elevation, he is always turgid; when he wiſhes to be ſplendid, he is only gaudy.

> "From brightening fields of ether fair diſclo'ſd,
> Child of the ſun, refulgent ſummer comes
> In pride of youth, and felt thro' nature's depth.
> He comes, attended by the ſultry hours
> And ever fanning breezes on his way;
> While from his ardent look the turning ſpring
> Averts her bluſhful face.

Such mechanical poetry as this is calculated merely for grown children. The tales he interweaves are very indifferently narrated. His diction is either artificially ſtrained or diſguſtingly familiar; and his verſification is ſuch, that for twenty or thirty lines together it is frequently difficult to diſtinguiſh it from proſe. In a word, it is a poem in which deſcription too much holds the place of ſenſe. Nevertheleſs it is upon the whole a pleaſing and juſtly popular performance; and ſuch it will continue to be while any reliſh ſhall remain of the beauties of nature, the charms of poetry, or the ſympathies of affection. His life was blameleſs as his ſong, and the tomb

of Thomſon has been conſecrated by the tears of friendſhip and genius—

> " Remembrance oft ſhall haunt the ſhore,
> While Thames with ſummer wreaths is dreſt,
> And oft ſuſpend the daſhing oar
> To bid his gentle ſpirit reſt." COLLINS.

His poem entitled Liberty contains many ſtriking paſſages, and abounds in high and lofty ſentiments; but it is unhappily extended to a length inſufferably tedious. The ſmaller pieces merit little attention, the " Caſtle of Indolence" excepted, which is indeed a noble effort of imagination, and claims a diſtinguiſhed rank in Engliſh poetry as a very elegant and beautiful allegory.

Young's Night Thoughts may not improperly be conſidered as a good poetical contraſt to Thomſon's Seaſons. One delighted as much to exhibit the gloomy, as the other the cheerful face of things. Young's genius was without doubt of a rank much ſuperior to that of Thomſon. He poſſeſſed, as Addiſon ſays of Lee, true poetic fire, though obſcured by thick volumes of ſmoke. In the article of ſublimity, the only one in which a compariſon can be inſtituted, the Night Thoughts may vie with the Paradiſe Loſt itſelf. In their different deſcriptions of a comet, for inſtance, the inferiority of Young is not at all diſcernible—

Incens'd

" Incens'd with indignation Satan ſtood
Unterrified; and like a comet burn'd,
That fires the length of Ophiucus huge
In th' Artic ſky; and from his horrid hair
Shakes peſtilence and war."

MILTON, P. L. Book II.

" Haſt thou not ſeen the comet's flaming flight?
Th' illuſtrious ſtranger paſſing terror ſheds
On gazing nations from his fiery train
Of length enormous; takes his ample round
Thro' depths of ether; coaſts unnumber'd worlds
Of more than ſolar glory; doubles wide
Heaven's mighty Cape; and then reviſits earth
From the long travel of a thouſand years."

YOUNG, N. T. IV.

The general character of Young's verſification is that of harſhneſs and ruggedneſs, though many paſſages may be produced as exceptions. The earlier poetical compoſitions of Young poſſeſs little claim to admiration; it is to a work begun after he was ſixty years of age, when, if we will give any credit to his own declaration,

" He long had buried what gives life to live,
Firmneſs of nerve and energy of thought"—

that he derives and will continue to derive his reputation; for certainly ſuch poems as the Laſt Day and the Paraphraſe on Job, or even his Satires and Tragedies, could never entitle him to a permanent manſion in the Temple of Fame.

A cele-

A celebrated Poeteſs of our own times, Mrs. Barbauld, in the elegant miſcellaneous collection with which ſhe has favored the world, has exhibited the moſt beautiful examples of verſification, happily diverſified and accommodated to the greateſt variety of ſubjects that are to be met with in any contemporary author. In the poem ſtiled Corſica, her blank verſe makes a very near approach to the Miltonic majeſty, and the Summer Evening Meditation is in the beſt manner of Young. Delia breathes the very ſoul of Hammond; and the Addreſs to Wiſdom is written in the true ſpirit of Prior. The poem on the Origin of Song Writing might have done honor to Waller, and the Ode to Spring is entitled at leaſt to "divide the crown" with Collins's exquiſite Ode to Evening.

ESSAY XXXIV.

ON EPIC POETRY.

M. DE BALSAC, ſpeaking of thoſe who affect a diſlike or contempt of cheerful amuſements, or works of literature profeſſedly deſigned for entertainment, very happily ſays, "Si pareilles gens avoient la direction du monde, ils voudroient oter le printems & la jeuneſſe, l'un de l'annee l'autre de la vie." Of all the various inventions of literature, whoſe ſole or principal object is to pleaſe, poetry ſtands undoubtedly moſt conſpicuous; and a man who diſdains to be pleaſed with that which is in its own nature calculated to give pleaſure, is by no means ſo wiſe as he affects to be thought. It muſt indeed be acknowledged, that different kinds of poetry are adapted to different periods of life. And however we may be charmed in early youth with thoſe gay and fanciful productions of the muſe, in which deſcription holds the place of ſenſe, a time will certainly arrive when we ſhall be no longer delighted to hear of painted meadows or of purling ſtreams. To wander in the regions of Arcadia, and liſten to the

the warbling of birds, or the dying murmur of a diſtant water fall—to the plaints of forſaken nymphs and deſpairing ſwains, may amuſe for a while, but muſt in the end prove wearifome and diſguſting. When man attains to maturity of judgment, and all the intellectual powers are fully expanded, works addreſſed excluſively to the imagination ceaſe to pleaſe; and though in ſearch merely of entertainment, he requires not only the imagination to be gratified, but the paſſions to be moved, and the underſtanding to be enlightened.

In the art of poetry theſe ends are moſt effectually attained by the epic and dramatic forms of compoſition. Reſpecting the firſt of theſe, which profeſſes to rehearſe ſome great and memorable action, and to adorn and dignify the narration by all the graces and embelliſhments of the poetic art, it is the purpoſe of this Eſſay to offer a few general obſervations, and to illuſtrate them by ſome critical remarks on thoſe writers who have, by univerſal conſent, been allowed moſt eminently to excel in this higheſt and moſt difficult branch of poetic compoſition.

Homer, the great father of Epic poetry, by the mere force of natural genius, and without any previous knowledge, as is probable, of the laws of criticiſm, compoſed a poem which has been the delight and admiration of every ſuc-

ceeding age. And Ariſtotle deſervedly acquired the praiſe of profound ſagacity and penetration, by tracing, and clearly developing, from the moſt accurate and attentive examination of this great work, the cauſes of this general admiration. When thoſe cauſes were aſcertained, it was an eaſy taſk to deduce certain fixed rules of Epic compoſition, by the obſervance of which ſucceeding poets would be able to conſtruct their works on the ſolid baſis of good ſenſe and experience; and thus to acquire, as the juſt reward of their labors, a ſolid and laſting fame. The ſyſtem of Ariſtotle therefore is not an ingenious and fine-ſpun theory, to which facts were afterwards to be accommodated, but it is, as all juſt and rational criticiſm muſt be, a developement of principles by a philoſophical illuſtration of facts already aſcertained and eſtabliſhed; or, in other words, it is to trace the unknown cauſes of certain known effects.

This Oracle of Criticism obſerves, that "an action, to be the proper ſubject of an Epic poem, muſt be one great and entire. What I mean by entire," ſays he, "is comprehending in itſelf a beginning, a middle, and an end. A beginning is that which does not itſelf neceſſarily follow any other event, but to which other events naturally ſucceed. An end is juſt the contrary; for it is that which either of neceſſity, or

or according to the general courſe of things, muſt follow ſome other event, but requires nothing after it. A middle requires other circumſtances both to precede and follow it. The Epopee differs eſſentially from hiſtory, inaſmuch as the hiſtory of a particular period includes the events which happened within that period, whether they relate to one or more perſons, or conduce to the ſame or different ends. The object of the poet is not to relate what has actually happened, but what may poſſibly happen either with probability or from neceſſity. The difference between the poet and the hiſtorian does not ariſe merely from one writing in verſe and the other in proſe; for if the work of Herodotus were put into verſe, it would be no leſs a hiſtory than it is in proſe. But they differ in this; that one relates what has actually been done, the other what may be done. Poetry therefore is more philoſophical and inſtructive than hiſtory. Poetry ſpeaks more of general things, hiſtory of particular. From theſe principles it is clear that the denomination Ποιητης, poet or maker, is rather derived from the compoſition of the fable than the verſe, becauſe the imitation conſtitutes the poet, which imitation muſt be of an action. Even if he writes on real actions, he may yet be a poet; ſince there is no reaſon why many real facts may not be capable of that artful diſpoſi-

tion and happineſs of arrangement, in regard to which he may juſtly be eſteemed a poet.

It is not enough to preſerve the ſtricteſt unity of action, if the action be long, or complicated, or tedious. Homer did not attempt to deſcribe the whole Trojan war; for either it would have been ſo much extended as not to have been eaſily comprehended in one view; or if contracted, it would have been confuſed from the multiplicity of incidents. Fixing therefore upon the moſt intereſting period of the war, he artfully introduces whatever is neceſſary to the embelliſhment or elucidation of his fable in different epiſodes. And though the general plan ought to be ſimple and perſpicuous, yet does this ſimplicity by no means exclude variety; a *peripetia*, or revolution of fortune, being eſſential to the excellence of the fable. Nor does it reject the ſurprize occaſioned by any intereſting or unexpected diſcovery. No agent ſhould be introduced into the poem without characteriſtic manners; and the Epopee may even frequently aſſume a dramatic form. The poet ſhould appear as little as poſſible in his own perſon; for when he himſelf ſpeaks, the imitation, in which the deception conſiſts, is ſuſpended. In this reſpect the conduct of Homer is excellent and admirable. In the delineation of character it may be proper, as in the paintings of Zeuxis, to give ex-

examples of perfection not to be found in real life. But in regard to the preſervation or conſiſtency of character, the higheſt attention muſt be invariably paid to the truth and exactitude of the imitation. Even if an inconſiſtent perſon is drawn, the character ſo imitated ſhould be conſiſtently inconſiſtent. The language and ſentiments ſhould be ſimple, and not obſcured by too ſplendid a diction. The perfection of language conſiſts in its being perſpicuous without meanneſs. This ſimplicity, however, is not incompatible with dignity and elevation. The language of poetry may be raiſed above the vulgar idiom by the uſe of uncommon expreſſions; and even of compound, of foreign, and antiquated terms happily applied: of inverſions; of ornamented phraſes; and eſpecially of metaphors; the artful and judicious introduction of which, is itſelf a proof and criterion of true genius. Though wonder may with propriety and effect be excited by tragedy, yet Epic poetry is the more proper province of the marvellous, becauſe events are in the latter merely related, and not repreſented; and the marvellous is always pleaſing if conſiſtent with propriety and credibility. But the incidents, however wonderful, numerous, or diverſified, muſt ariſe out of the fable itſelf; and appear the neceſſary or probable conſequence of what happened before: for

there is a wide difference between one event happening in conſequence of another, or only following it. Neceſſity and probability ſhould alſo, as is evident, be as much conſidered in the manners as in the action. For it is as material to enquire, whether it is neceſſary or probable for ſuch a man to ſay or do ſuch things, as whether it is neceſſary or probable for ſuch an event to follow another. Lastly, the Epopee is not limited as to duration, but may be extended to any period conſonant to the general laws by which the whole is regulated.

This is a conciſe and faithful ſummary of the famous Critique of Ariſtotle, ſo far as it relates to the Epopee. Nor have the modern critics been able to make any important additions to this comprehenſive ſketch of the properties requiſite to the formation of a perfect Epic poem. Boſſu has indeed inſiſted, with ſingular abſurdity, that a moral is not only eſſential to the Epopee, but that the poet ought firſt to ſelect ſome general axiom, or ſpeculative principle, which it may be proper to enforce, and then to invent his fable for the ſole purpoſe of illuſtrating it. It would indeed be ſtrange, if no general or intereſting truth could be deduced from the narration of a great and memorable event: but to make the poem a mere vehicle for the communication of it, is to confound the plan of the Epopee, and

to degrade it to a level with that of a fable of Æſop. The Epopee is fraught with inſtruction throughout; and by diſplaying human nature in momentous, important, and intereſting ſituations, muſt furniſh ample ſcope for moral reflection and intellectual improvement.

It has been alſo maintained that a hero is a neceſſary appendage to an Epic poem. "On peut définer le poeme Epique," ſays a celebrated French critic, "une fable racontée par un poëte pour exciter l'admiration, & inſpirer l'amour de la vertu en nous repréſentant l'action d'un héros favoriſe du ciel, qui execute un grand deſſein en triomphant de tous les obſtacles qui s'y oppoſe." This, however, is an arbitrary and contracted definition no where countenanced by Ariſtotle, or founded in the reaſon and nature of things. Certainly no great or memorable action can take place without the inſtrumentality of great and memorable actors; and amongſt thoſe actors, one will perhaps uſually be more conſpicuous than the reſt. But this is by no means indiſpenſably neceſſary; and to exclude the Paradiſe Loſt of Milton from the claſs of Epic poems, in conſequence of this impertinent criticiſm, would be as abſurd as to deny to a Republic the rank and dignity of a nation, becauſe it has no Monarch.

A third law has alſo been added to the code of Ariſtotle, which is, that the aid of machinery, as

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it is ſtiled, on the operation and influence of ſupernatural agents, is indiſpenſably neceſſary to the very exiſtence of Epic poetry. "The Pagan gods and Gothic fairies," ſays the ingenious author of Letters on Chivalry and Romance, "were equally out of credit when Milton wrote. He did well, therefore, to ſupply their room with angels and devils. Without admiration, which cannot be effected but by the marvellous of celeſtial intervention, I mean the agency of ſuperior natures really exiſting, or by the illuſion of the fancy taken to be ſo, no Epic poem can be long-lived. The pomp of verſe, the energy of deſcription, and even the fineſt moral paintings, not being of themſelves of ſufficient efficacy to reſcue the poet from oblivion." Ariſtotle indeed affirms, that the marvellous may be introduced with the higheſt effect into Epic poetry; but human as well as divine agency may doubtleſs, under the direction of genius and judgment, be made productive of the marvellous without forſaking the probable. It cannot however be denied, that the moſt celebrated Epic poets have uniformly called in the aid of ſupernatural agency with great ſucceſs and advantage; and that it is not eaſy to conceive of an Epic poem deſtitute of machinery, which ſhould not appear comparatively tame and ſpiritleſs. And the Gondibert of Sir William D'Avenant may rather perhaps be

be adduced as a confirmation of this obſervation, than an exception to it.

Rejecting, however, the authority of all rules but thoſe originally promulgated by the Stagyrite himſelf, rules founded on the baſis of reaſon, and ſanctioned by the preſcription of ages, it muſt be allowed that a work conſtructed in perfect conformity to them, muſt be worthy not only of regard and attention, but of the higheſt admiration, as manifeſtly requiring, in order to its accompliſhment, the moſt noble and ardent efforts of the human faculties. Vaſt extent of knowledge is neceſſary, as a primary qualification, to enable the poet to treat the numerous topics incidentally connected with or ariſing from his main ſubject, with clearneſs and preciſion. He muſt alſo poſſeſs exquiſite feeling and ſenſibility: "For thoſe," ſays the great critic, "who are moved by paſſions themſelves, will expreſs thoſe paſſions moſt naturally from their own feelings; and he who is affected himſelf, will beſt know how to affect others." A cool and impartial judgment muſt accompany this warmth of paſſion, which will elſe precipitate the poet into abſurdity and extravagance. Juſtneſs of taſte, and fertility of invention, muſt ſupply him with beauty of language and variety of imagery and of incident. And laſtly, the flame of genius muſt invigorate and pervade the whole; that celeſtial flame

flame which, in the breaſt of a true poet, is inextinguiſhable as the hallowed fire upon the altar of VESTA. It is not to be imagined that any human production will endure the criterion of ſo ſevere a teſt. Nevertheleſs, various poets, of different ages and countries, have made ſuch an approximation to this perfection of excellence, as to excite very vivid emotions of delight in the minds of all who are competent to form a judgment of their works; poets who, by the luſtre of their talents have immortalized their names, and to whom is juſtly paid the willing tribute of univerſal admiration.

It may now not be improper to ſubjoin ſome curſory and general remarks upon the principal excellencies and defects of the moſt celebrated productions included under the denomination of Epic poetry. And of theſe works the ILIAD, as it is firſt in place, will perhaps ever remain firſt in fame. Reſpecting this wonderful poem, it would be needleſs and impertinent to repeat what has been ſo often repeated. To maintain in general that it has imperfections, requires no ſagacity; and to point them out with invidious accuracy, only a ſmall ſhare. But I could never liſten to "The Tale of Troy Divine" without emotions more powerful than thoſe excited by any other poet. For energy of genius and vigour of invention, for force and beauty of language, for grandeur

grandeur of deſign, and for ſtrength and variety of character, he remains without a competitor, or at leaſt without an equal.

Of the ENEID alſo, it may be in a few words remarked, that the excellence of the poet conſiſts not in the invention or general fabric of the poem; for what is there which he has not borrowed from Homer, the Epiſode of Dido excepted, for which he is indebted to Apollonius Rhodius? Not in the diſplay of character; for in compariſon of his great predeceſſor, he has drawn only faint and feeble ſketches; not in that glowing and impetuous enthuſiaſm which is the firſt and moſt deciſive characteriſtic of genius, but in the ſkill and judgment with which he has combined the various incidents of his fable, the exquiſite art with which he has made them ſubſervient to his main deſign, to ſoothe and flatter the pride and prejudices of his countrymen, and in the propriety and tenderneſs of his ſentiments, the dignity and harmony of his language, and the inexplicable charm of his verſification. The ſecond and fourth books in particular are finiſhed by the hand of a maſter, and diſplay the higheſt excellencies of the poetic art, as well as the moſt intimate knowledge of the human mind. The character of Æneas, however, certainly makes an impreſſion very different from that which the poet intended: his conduct with reſpect to Dido, notwithſtanding

notwithſtanding the pains employed in his exculpation, appears mean, treacherous, and ungrateful; and fully juſtifies the reſentment diſcovered by her diſdainful ſilence at their ſubſequent meeting in the Elyſian ſhades. In the concluding books of the poem our hopes and fears are, as has been very juſtly remarked by M. Voltaire, engaged on the part of Turnus. And if upon the whole we cannot perfectly agree with St. Evremond, that Virgil's hero is better qualified to be the founder of an order of monks, than of an empire; at leaſt the obſervation of St. Real muſt be acknowledged juſt—"On trouve que ſon heros n'eſt pas aſſez heros."

LUCAN is entitled to a very honorable rank in the catalogue of Epic poets. He poſſeſſed true original genius; but it may be queſtioned whether he did not materially err in the choice of his ſubject: for though, as the great critic obſerves, it is not neceſſary that the ſubject of an Epic poem ſhould be altogether fictitious, yet the proximity of time, and the notoriety of the events, left him no ſcope for the exerciſe of invention; and by adhering cloſely to the truth of hiſtory, he often incurs the riſque of being cenſured as jejune and flat. He has made little uſe of machinery; and the Pharſalia affords a ſufficient proof, that however it may heighten the effect, it is not eſſential to the exiſtence or to the

the ſucceſs of Epic poetry. When he had once determined upon the ſubject, he ſhewed true judgment in diſcarding that ſupernatural agency which would have thrown an air of burleſque over it: "Quel rôle," ſays M. Voltaire, "Cæſar joueroit-il dans la plaine de Pharſale, ſi Iris venoit lui aporter ſon épée, ou ſi Venus deſcendoit dans un nuage d'or a ſon ſecours?" In ſimplicity, in elegance, and in dignity, he is far inferior to the Mantuan, and though his ſentiments are frequently noble and elevated, he was not ſufficiently attentive to the Horatian precept—

> "Quicquid præcipies, eſto brevis, ut citò dicta
> Percipiant animi dociles, teneantque fideles."

After an interval of thirteen centuries aroſe TRISSINO, who deſerves mention only as the reviver of Epic poetry in modern ages. His ſubject is the deliverance of Italy from the Goths, in the reign of Juſtinian. His plan, by the univerſal acknowledgment of the critics, is ſtrictly regular; but his poetry is feeble and ſpiritleſs: nevertheleſs the work ſucceeded, and this dawn of good taſte continued to ſhine, though faintly, till it was abſorbed in the meridian ſplendor of that day which gave birth to the Jeruſalem of TASSO. This is a work which may, without prejudice or partiality, be placed in competition with the Iliad and the Eneid: and it is ſurely ſufficient

ficient praiſe, that it holds the balance of critical juſtice for ſome time ſuſpended, though it muſt perhaps ultimately preponderate in favor of antiquity. The ſubject of this poem is eminently happy: the recovery of Jeruſalem from the hands of the Infidels is an event of great poetical dignity and importance, being intimately aſſociated with a variety of intereſting and elevated emotions, which perfectly accord with the genius and ſpirit of Epic compoſition, caſting a certain religious awe—a ſort of divine radiance around it. While we muſe, we catch the ſacred enthuſiaſm; we glow with a romantic ardor; we are tranſported in poetic viſion to the banks of Jordan; we view the Chriſtian armies marſhalled in proud array; we regard, with rapturous admiration, the heroes under whoſe banners they have victoriouſly fought; we envy them their feelings; we emulate their zeal, and kindle into impatience while we recite their exploits—

> "To bear the radiant red-croſs ſhield,
> Mid the bold peers in Salem's field."

Here is alſo a much more elaborate and ſucceſsful diſplay of character than we find in the Eneid. M. de Voltaire ſcruples not in this reſpect to pronounce the Jeruſalem ſuperior even to the Iliad. "Ses heros ont tous des caracteres differens comme ceux de l'Iliad: mais ſes caracteres,

teres ſont mieux annoncés plus fortement décrits, & infiniment mieux ſoutenus. Il a peint ce qu' Homere crayonnoit." Few perhaps will ſubſcribe to this opinion; but had Taſſo been the antient, and Homer the modern, the deciſion would appear much leſs erroneous. The truth is, that of the heroes of Homer, who are doubtleſs diſcriminated by the old Bard with great ſkill and judgment, we elſewhere hear ſo much, that the original impreſſion is continually, though imperceptibly ſtrengthened by the recurrence of the ſame ideas drawn from the ſame fountain. But of the perſonages introduced by Taſſo into the Jeruſalem, we know nothing but from the Jeruſalem. The original impreſſion therefore, though equally powerful, not receiving the ſame external and adventitious aid, remains comparatively faint and feeble. The machinery of Taſſo is, to ſpeak in general terms, at once daring and judicious, though it is perhaps employed with too little reſerve, and upon occaſions too trivial—*nec dignus vindice nodus*. The arts of inchantment are ſtill ſufficiently conſonant to popular belief, to make a powerful impreſſion upon the imagination; and they coaleſce with the Chriſtian ſyſtem ſo far as is requiſite for the purpoſes of poetry. But the inchantment of Taſſo borders upon the extravaganza, and reſembles too cloſely that of the Fairy Tales. It is too far removed

from the limits of probability, and not unfrequently more nearly allied to the ludicrous than to the grand, the awful, and the terrible. Had Taſſo poſſeſſed the ſublimity of Milton, his machinery would have produced a wonderful effect; but ſublimity is not the characteriſtic of the Jeruſalem. It is perhaps to the puerile and incredible fictions with which this poem abounds, that Boileau principally alludes when he ſpeaks of the *clinquant du Taſſe*; at leaſt it is a term unjuſt and inapplicable in any other view. In this vulnerable part only can the ſhaft of the ſatiriſt find an entrance; and the plea of the poet that his machinery is merely allegorical, muſt be pronounced inadmiſſible: *firſt*, becauſe the juſtneſs of the allegorical ſenſe, which in an Epic poem is only the ſecondary or ſubordinate ſenſe, cannot be urged in vindication of the abſurdity of the literal or primary ſenſe; and *ſecondly*, becauſe this pretended allegorical ſenſe lies ſo very deep, that the ſkill of an Œdipus is neceſſary in order to fathom it.

The literary world is much indebted to Mr. Hoole for his elegant verſion of this poem. With great generoſity, however, he acknowledges the ſuperior merit of that of Mr. Brooke, "which," ſays he, "is at once ſo harmonious and ſo ſpirited, that an entire tranſlation of Taſſo by him would not only have rendered my taſk unneceſſary,

neceſſary, but have diſcouraged thoſe from the attempt whoſe poetical abilities are much ſuperior to mine." As Mr. Brooke's verſion, which extends unfortunately to the three firſt books only, is not very generally known, it may not be unacceptable to ſelect from it a few paſſages in corroboration of Mr. Hoole's liberal encomium.

Book I.—Line 310.

" Say thou, my ſoul, with gifts divinely bleſt,
And all thy treaſures of a conſcious breaſt,
What chiefs conſpicuous then adorn'd the plain,
Their antient glory and attending train?
So may'ſt thou recollect the ſpoils of age,
And from oblivion ſnatch the future page.
To thee old Time ſhall every trophy yield,
And all the priſtine honours of the field,
Tranſplanted fair on each immortal line,
And every ear in every age be thine."

It is ſcarcely neceſſary to ſay, that the following lines deſcribe the firſt interview of Tancred and Clorinda.

Book I.—Line 424.

" Where a cool ſtream beneath the whiſp'ring ſhade,
With pendant flowers and quiv'ring poplars play'd,
Thither he turn'd; but with unwary thought,
Soon loſt the ſweets of that repoſe he ſought.
By the clear ſtream unlook'd for perils lay,
In all the charms of virgin beauty gay:
Her body arm'd with Amazonian grace,
But obvious all the dangers of her face.

His captive ſtep the warrior ſtopp'd, amaz'd,
Sigh'd as he look'd, and trembled while he gaz'd.
His eyes ran o'er the maid with haſty art,
Thence drew her form, and fix'd it in his heart."

Aletc's Ambaſſador from the Soldan of Egypt, thus eloquently apoſtrophizes GODFREY, the leader of the Chriſtian armies.

BOOK II.—Line 596.

" Tranſcendant chief! whoſe memorable page,
Shall feud a tale to every future age—
Soared to the zenith of a cloudleſs day,
Thy fortune culminates her warmeſt ray:
Her next advance the weſtern ſteep invites,
Prone ſhe deſcends, and ſuddenly benights.
Ah! think, great chief! the dangerous venture ſhun,
Where all thy deeds may be at once undone;
Did zeal exhibit no intemperate dream,
Nor clouds of wrath eclipſe thy reaſoning beam,
How juſt, how different would the ſcene ariſe,
Nor hope, but apprehenſion meet thine eyes!
Will fortune, falſe as the alternate ſea,
For thee perpetual flow, alone for thee?
High the aſcent her hourly favorites know,
But ſteep the precipice that ſinks below."

The emotions of the Chriſtian army at the firſt view of the city of Jeruſalem, are thus exquiſitely pictured.

BOOK III.—Line 39.

" To the firſt hurry of that wild delight,
When Salem roſe tranſporting to the ſight,
Contrition ſoon with reverent check ſucceeds,
With dulcet anguiſh every boſom bleeds:
Their humble eyes all trembling they with-hold,
From walls too dear, too awful to behold.

Soft

Soft is their ſtep along the ſacred ground,
And hoarſe and deep the murmuring accents ſound:
Of boaſtful trim their arms they all diveſt,
And all unplum'd is every bending creſt;
Timid their voice, and ſweet their whiſpering woe,
Short breathe their ſighs, and faſt their tears o'er-flow."

I reluctantly cloſe this ſeries of quotations with Erminias' animated deſcription of Rinaldo.

"Behold, ſhe cried, behold RINALDO there!
Than man more valiant, more than woman fair!
Whoſe fame is full e'er promiſe could preſage,
And ſhames in infancy the toils of age.
His arm more forceful than an engine falls,
And threats more ruin to theſe tottering walls.
Had Europe ſent ſix champions to the field,
Six youths like this could ample Europe yield,
The world were conquered to the ſouthern pole;
Beneath their yoke ſhould India's Ganges roll;
In chains all Niger's tawny Kings ſhould tread,
And Nile in vain would hide his ſacred head."

CAMOENS, the glory of Portugal, flouriſhed nearly at the ſame period with Taſſo; and of the extraordinary talent of his illuſtrious contemporary the Italian poet appears to have been perfectly ſenſible, if we may judge from the beautiful ſonnet which he addreſſed to him on the ſubject of his celebrated poem, the LUSIAD—"Vaſco* le

* Thus excellently tranſlated by Mr. Mickle.

VASCO, whoſe bold and happy bowſprit bore
Againſt the riſing morn; and homeward fraught
Whoſe ſails came weſtward with the day, and brought

le cui felici, &c." This poem is now well known to the Engliſh nation through the medium of the tranſlation of Mr. Mickle, which, in ſpirit and elegance, may vie with the firſt productions of the kind in the Engliſh language. As a critic, however, he is by no means ſo ſucceſsful: that the tranſlator of the Luſiad ſhould not only deem highly of the merits of the work himſelf, but be ſolicitous to gain the ſuffrages of his readers, it was natural to expect; but that blind admiration which either cannot, or will not ſee any fault in a literary performance, can do little credit either to the author or to the annotator. The lively and ingenious, though inaccurate remarks of M. Voltaire on this poem, have drawn from the pen of Mr. Mickle ſuch ſeverity of animadverſion and reprehenſion as is by no means juſtifiable, when occaſioned by a difference in itſelf ex-

The wealth of India to thy native ſhore:
Ne'er did the Greek ſuch length of ſeas explore,
The Greek who ſorrow to the Cyclop wrought,
And he who victor with the harpies fought,
Never ſuch pomp of naval honors wore.

Great as thou art and peerleſs in renown,
Yet thou to Camöens ow'ſt thy nobleſt fame;
Farther than thou didſt ſail, his deathleſs ſong
Shall bear the dazzling ſplendor of thy name,
And under many a ſky thy actions crown,
While Time and Fame together glide along.

tremely

tremely unimportant, and ſolely affecting a point of taſte. Allowing, however, that M. Voltaire ſtands convicted of all the high crimes and miſdemeanors laid to his charge by Mr. Mickle, it is not eaſy to perceive that they leſſen the weight of any of his objections againſt the Luſiad. M. Voltaire admits the Luſiad to be a work juſtly deſerving of a diſtinguiſhed rank in Epic poetry; a work abounding in beauties, and exhibiting alſo ſome ſtriking defects. It is, as he affirms, a poem without a plan; the ſubject of it being ſimply the diſcovery of India by the Portugueze, who firſt of all nations circumnavigated the continent of Africa. The incidents of the poem are conſequently deficient in reſpect to connection, and conſiſt merely of a ſeries of detached adventures little calculated to excite intereſt or awaken attention, and bearing a remote relation to the final event, which they neither accelerate nor retard. The Luſiad therefore wants unity; but a ſtill more formidable objection is, that it wants propriety; for the machinery exhibits a monſtrous combination of Chriſtian and Pagan mythology. Vaſco de Gama, the hero of the poem, for inſtance, prays to the God of Iſrael in a ſtorm, and the Goddeſs Venus comes to his relief. "But we are told," ſays M. Voltaire, "that the machinery is allegorical; that Mars is clearly deſigned to repreſent Jeſus Chriſt, and

Venus the Virgin Mary. All this may be, ſays he, but I own I ſhould not have ſuſpected it." Mr. Mickle, however, is not ſatisfied with eagerly defending the propriety of this allegorical interpretation, and with ſtating the obvious anſwer to the objection reſpecting the unity of the action, that the diſcovery of India was an event not below the dignity of the Epopeia, and that every attention has been paid by the poet to the unity of action that the nature of the plan admitted or required; but he is determined to recriminate upon M. Voltaire, and to expoſe him to the contempt and deteſtation which he deſerves. For it appears too plain to be contradicted, that Voltaire in the firſt place has ſhamefully miſſpelt the name of the poet, whom he ſtiles not Camöens, but Camouens. He has moreover intimated, if not abſolutely affirmed him to have been a Spaniard; he has called him a witneſs of the events which he has celebrated, ſo that the poet muſt have been near one hundred years of age when he publiſhed the Luſiad. He tells us that Camöens conducted the Portugueze fleet to the mouth of the Ganges, thus wickedly confounding, perhaps, Calicut on the coaſt of Malabar, with Calcutta on the coaſt of Bengal. He ſpeaks diſreſpectfully of the King of Melinda, ſtiling him "a barbarous African;" whereas Mr. Mickle thinks him to have

have been well acquainted with Homer and Virgil. Lastly, M. Voltaire is accuſed of deriving his knowledge of the Luſiad from the tranſlation of Fanſhaw. But if M. Voltaire was ſo unfortunate as not to underſtand Portugueze, and no better tranſlation than Fanſhaw's was to be had, why cenſure or reproach him for the uſe of it? But however imperfect his knowledge, and however diſadvantageouſly acquired, the careleſs criticiſm of Voltaire is, in my opinion, far more valuable than the elaborate and crabbed diſſertation of Mr. Mickle.

Spain has alſo an Epic poem, of which ſhe boaſts as equal to the Luſiad and the Jeruſalem. The author of this poem, ſtiled the Araucana, was Don Alonzo D'Ercilla. He is ſaid by Mr. Hayley, who has favored the public with a tranſlation of ſome parts, and an analyſis of the whole of this poem, to have written in the true Homeric ſpirit. However this may be, certain it is he has not adopted the true Homeric plan. The ſubject of the poem is the reduction of a certain mountainous diſtrict of the province of Chili, called Arauca, the inhabitants of which were Indians of uncommon bravery and ſpirit, who, prompted by their love of liberty and impatience of oppreſſion, had dared to revolt from the dominion of Spain. It is obvious that this is a ſubject not ſuited to the grandeur of the Epopeia,

peia. This ſubject, unintereſting and trivial as it is, he has extended to the immeaſureable length of thirty-ſix cantos, crowded with a multiplicity of impertinent digreſſions, and unconnected incidents. So that this poem may be compared, agreeably to the illuſtration of Ariſtotle, to ſome enormous animal, whoſe vaſt and diſproportionate dimenſions cannot be contemplated at one view. The attention of the poet ſeems conſtantly confined to parts; and "'how parts relate to parts, or they to whole," he ſeems either to comprehend or to care very little. His Indian heroes, Cayocupil, Colocolo, Lemoleno, Caupolican, Andalican, &c. make a ſtrange figure in Epic poetry. "This poem," ſays M. Voltaire, "is more barbarous than the nations who are the ſubject of it." But this opinion ſeems to be given pretty much at random; and a poem which Cervantes ranks amongſt the choiceſt treaſures of the Caſtilian muſe, and which Spain has admired for two hundred years, cannot be devoid of merit; though it has not as yet attained, nor from the radical defects of the plan is it indeed ever likely to attain, to any high degree of reputation amongſt foreign nations.

Of the Paradiſe Loſt of Milton ſo much has been ſaid, and ably ſaid, that nothing intereſting or important ſeems left to be added. The animadverſions of Mr. Addiſon appear, gene-

rally ſpeaking, very juſt; though it muſt be confeſſed they diſcover no remarkable acumen or depth of critical penetration. The prevailing characteriſtic of his *critique* is tameneſs. He ſometimes indeed ventures "to hint a fault, and heſitate diſlike;" but it has upon the whole too much the air of an elaborate and ſtudied panegyric. "Lord Somers and Biſhop Atterbury," ſays M. Voltaire, "were determined that England ſhould have an Epic poem. A magnificent edition of the Paradiſe Loſt was publiſhed under their patronage. The ſuffrage of theſe great men was the certain means of gaining others. Mr. Addiſon wrote in form to prove that this poem equalled thoſe of Homer and Virgil. The Engliſh were by degrees perſuaded to give credit to it; and thus the reputation of Milton was eſtabliſhed." It is to be regretted that Mr. Addiſon, by writing ſo much *in form*, ſhould have given occaſion to this lively ſatire. No man, however, at other times was more ready to acknowledge the merit of this great poet than Voltaire; who compares the Paradiſe Loſt, with all its faults and all its beauties, to the Palace of Verſailles; which viewed on one ſide exhibits a huge and heavy ſtructure, irregular, taſteleſs, and Gothic—on the other ſide, whatever architecture can boaſt moſt beautiful, magnificent, and ſublime. The Henriade of M. Voltaire, to pur-

purſue his own alluſion, may be properly enough compared to an airy modern villa, conſtructed indeed according to the rules of art, but ornamented with much gaudy and ſuperfluous decoration. It is ſurprizing that M. Voltaire, who has with ſo much juſtice exclaimed againſt the introduction of the allegorical perſonages of Sin and Death into the Paradiſe Loſt, ſhould have adopted a machinery wholly allegorical in his own poem. And this prepoſterous machinery, viewed in connection with the notoriety and recent date of the facts, to which it is by a ſort of poetical violence annexed, throws that air of ridicule over the whole poem, the juſt apprehenſion of which doubtleſs induced a far greater genius in Epic poetry, the author of the Pharſalia, to decline the aid of machinery altogether.

It has been warmly contended that the Telemaque of Fenelon is properly comprehended in the claſs of Epic poems. But whether any proſe compoſition can with propriety be comprehended under the denomination of poetry, is a queſtion which muſt be previouſly determined. This, perhaps, is little better than a verbal diſpute. It ſeems however to introduce a ſtrange confuſion into common language, to ſtile that ſpecies of compoſition a poem, which wants the moſt obvious and diſtinguiſhing characteriſtic of poetry—verſification. And verſification in the hand

hand of a maſter, is capable of producing ſuch delightful effects, that even thoſe who apply the term *poem* to a proſe compoſition, muſt acknowledge it deſtitute of that property which enlivens, animates and ennobles all the reſt. Excluſive however of this grand objection, Telemaque has little pretenſion to praiſe as an Epic poem. If we except the palpable imitations of Homer and Virgil, the incidents are ill imagined, ill-conducted, and the detail inſufferably tedious. The action is neither one, entire, nor great. It even has ſometimes the effect of a ludicrous *traveſti* of the Odyſſey; and we view with a ſmile Telemachus wandering over the world in vain purſuit of his father, the wanderer Ulyſſes. That the Goddeſs of Wiſdom ſhould, in the form of a decrepid old man, accompany him in theſe wild rambles, has rather the appearance of burleſque. And had not Monſ. de Cambray been in want of a hero for the inſtruction of his royal pupil, it would certainly have been much better that Telemachus ſhould have remained quietly and peaceably at home, where during the abſence of his father his preſence was certainly requiſite. I mean to ſpeak of this popular performance, as a work which aſpires to the rank and dignity of the Epopee; for as a mere hiſtorical romance, it muſt be allowed to poſſeſs in many reſpects great merit. It is both elegantly and ingeniouſly written, but it exhibits no marks of poetic genius.

The laſt poet of whom it may be neceſſary to take ſome notice is Oſſian. Mr. Macpherſon determined, in imitation of Somers and Atterbury, that Scotland ſhould have an Epic poem; Dr. Blair has, like Mr. Addiſon, written *in form*, to prove that Fingal and Temora are equal to the Iliad and the Eneid. The Scots begin to believe that they really are ſo, and thus the fame of Oſſian is eſtabliſhed. For my part, with the beſt diſpoſition in the world to admire theſe famous poems, I acknowledge myſelf perpetually at a loſs even to comprehend them—or to attain any clear ideas either of the action of the poems, the characters, or the ſituations of the various perſonages introduced. They leave a confuſed medley of poetical but gloomy images floating upon the mind, which it is impoſſible to arrange in any rational order. Dr. Blair himſelf allows, that "the manner of Oſſian is ſo different from that of the poets to whom we are moſt accuſtomed, his ſtile is ſo conciſe and ſo much crowded with imagery, the mind is kept at ſuch a ſtretch in accompanying the author, that an ordinary reader is at firſt apt to be dazzled and fatigued rather than pleaſed." Now, I have the mortification to find myſelf included in the claſs of ordinary readers. I am weary of the *key-note*, as the critic ſtiles it, on which this Bard of other times is perpetually harping; and hear with the inattention

inattention of diſguſt of the extended heath by the ſea-ſhore; the mountain ſhaded with miſt; the torrent ruſhing through a ſolitary valley; the ſcattered oaks; and the tombs of the warriors over-grown with moſs.

I ſhall at a venture tranſcribe, as a ſpecimen of this incomparable poetry, a paſſage from the third book of Temora, which thoſe who underſtand, and it is as far as appears equally intelligible with the reſt of the poem, are perhaps in the right to admire. "High on cloudy Mora, Fingal ſhall behold the war. Raiſe the voice, O Bards! Selma move beneath the ſound. It is my latter field; clothe it over with light. On Crona, ſaid the Bards, there burſts a ſtream by night. It ſwells in its own dark courſe till morning's early beam. Then comes it white from the hill, with their rocks and their hundred groves. Far be my ſteps from Crona! Death is tumbling there. Be ye a ſtream from Mora, ſons of cloudy Morven! Who riſes from his car on Clutha? The hills are troubled before the King. The dark woods echo round and lighten at his ſteel. Selma is opened wide. Bards take the trembling harps. Ten youths bear the oak of the feaſt. A diſtant ſun-beam marks the hill. The duſky waves of the blaſt fly over the fields of graſs. Why art thou ſilent, O Selma? The King returned with all his fame. Did not the battle

battle roar? Yet peaceful is his brow. It roared, and Fingal overcame."

Of this ſtrange jargon, may it not be ſaid in the ſtile and language peculiar to this poet—Thy thoughts are dark, O Fingal! thy thoughts are dark and troubled. They are as a dim meteor that hovers round the marſhy lake. Comeſt thou, ſon of night, in the darkneſs of thy pride, as a ſpirit ſpeaking through a cloud of night? Thou art enveloped in obſcurity, chief of Morna! like the moon veiled in a thick cloud. Thy words are dark like ſongs of old, ſon of the cloudy Morven!—It muſt however be acknowledged that ſome of the ſmaller pieces of Oſſian, were they clothed in the proper dreſs of poetry, would not be deficient either in elegance or in pathos: and for the honor of Caledonian antiquity, I am diſpoſed to hope, and if poſſible to believe, that there is no juſt ground to call in queſtion their authenticity.

ESSAY

ESSAY XXXV.

ON DRAMATIC POETRY.

DRAMATIC poetry, by the univerſal conſent of the critics, ranks next in order and dignity to Epic poetry, and is even by many accounted ſuperior in reſpect to utility as well as difficulty. The rules laid down by the Stagyrite for the conduct of the Epopee, will for the moſt part apply with equal propriety to the Drama. There are, however, various obſervations of the great critic, which are profeſſedly calculated for and only applicable to this latter ſpecies of compoſition.

"The Epopee," to tranſcribe the words of Ariſtotle himſelf, "agrees with Tragedy, in uſing verſe and in employing language as the means of imitation. But it differs from it in adopting the narrative form of compoſition, and alſo in regard to length. For Tragedy endeavors, if poſſible, to confine itſelf to one courſe of the ſun, or only to exceed it a little; whereas the Epopee is not limited as to duration; and even Tragedy in its origin had the ſame latitude as Epic poetry." The ſuperiority of the Drama when compared

with the Epopee is aſſerted to be in this view manifeſt, that whatever is eſſential to the Epopee may be found in Tragedy; but many things belong to Tragedy which are not in the Epopee.

"Tragedy," ſays this celebrated critic, "is an imitation of an important and complete action, poſſeſſing a certain degree of magnitude, in language highly ornamented, having its forms diſtinct in their reſpective parts by the repreſentation of perſons acting, and not by narration; refining and purifying the paſſions by the means of pity and terror. Tragedy, therefore, being the imitation of an action, the qualities of the agents or perſons acting muſt be derived from manners or ſentiment. By the action is meant the combination of incidents; by the manners whatever enables us to decide upon the characters of the agents; and by the ſentiments, that by which the intention or opinion of thoſe who ſpeak may be diſcovered. The end of Tragedy, as he elſewhere obſerves, is action; and the end is the object principally to be conſidered in every thing. Actions, therefore, are not repreſented for the purpoſe of imitating manners; but manners are comprehended, and characters diſplayed, by means of the action. Tragedy cannot exiſt without action; but it may without manners or ſentiment; at leaſt the effect of Tragedy would be much rather obtained by a drama which,

which, poſſeſſing theſe properties in an inferior degree, excelled in the choice and diſpoſition of the fable, and in the artful combination of incidents. In a word, action is the ſoul of Tragedy, the manners holding but the ſecond place. The firſt is the drawing, the latter only the colouring of the picture. Fables may be either ſimple or complex; for ſo are thoſe actions of which fables are an imitation. That I ſtile, ſays he, a ſimple action, which, being connected and uniform, proceeds to the cataſtrophe without *peripetia*, or an unexpected revolution of fortune; and that a complex action, where the cataſtrophe is affected by the means of *peripetia*, or diſcovery, or both. The latter or complex fable being the moſt perfect form of Tragedy, and Tragedy itſelf being the imitation of an action capable of exciting pity and terror, it is evident that thoſe who are repreſented as falling from happineſs to miſery ſhould not be perſons of extraordinary virtue, as that would excite diſguſt rather than pity or terror. Neither ſhould wicked men be ſhewn as riſing from miſery to happineſs; for that would be directly oppoſite to the deſign of Tragedy, not poſſeſſing any one of its requiſites, being neither agreeable to our feelings, nor exciting either pity or terror. Neither ſhould a very wicked perſon be repreſented as falling from happineſs to miſery; for though ſuch an arrange-

ment might be agreeable to our feelings, it would excite neither pity nor terror. For one of theſe paſſions is excited by the misfortunes of an innocent perſon; the other by the misfortunes of a perſon in the ſame ſituation with ourſelves: pity on account of the diſtreſs being undeſerved, and terror from the ſimilarity of characters and circumſtances. Such an event would therefore be neither terrible nor alarming. The character that remains is the medium between theſe; a man neither eminently conſpicuous for virtue and juſtice, nor reduced to miſery by wickedneſs and villany; but rather one in high reputation and proſperity, ſuffering like Œdipus or Thyeſtes, or other ſuch illuſtrious perſonages. Upon the whole, a fable properly conſtructed ſhould be ſimple rather than double: and the change ſhould not be from miſery to happineſs, but on the contrary from happineſs to miſery, not on account of wickedneſs, but from ſome great error. This being the moſt perfect form of Tragedy, according to the principles of the art, thoſe who blame Euripides becauſe he purſues this method are themſelves wrong. The moſt certain proof of which is, that dramas of this claſs produce the moſt powerful effect in the performance; and that Euripides, though in other circumſtances perhaps inferior to other writers, is univerſally acknowledged to be the moſt tragical of our poets.

The form which is preferred, however, by ſome is that which has a different cataſtrophe for the virtuous and the vicious. But the ſatisfaction attained by theſe means is not that which ſhould properly be expected from Tragedy, and ariſes from the weakneſs of the ſpectators, which the poets are induced to follow, and compoſe their plays to gratify the feelings of the audience. It is a proof of ſuperior ſkill in the poet, when the fable is ſo conſtituted, as that a perſon only hearing the incidents related ſhould be affected with emotions both of terror and compaſſion. Such is the action of the Tragedy of Œdipus. Thoſe which excite horror inſtead of terror are totally unfit for the purpoſes of Tragedy. It is by no means allowable to deviate from received ſtories, ſuch as Clytemneſtra being killed by Oreſtes, and Eriphyle by Alcmœon. But it is the poet's office to invent fables himſelf, and arrange the circumſtances of thoſe received with judgment and propriety. In fine, Tragedies are not to be eſtimated merely by the fable as it exhibits itſelf in the progreſs of the drama, but alſo with a view to the termination or ſolution. There are many that form the plot well and the ſolution ill, though equal ſkill and attention is neceſſary in both.

Theſe are the moſt important hints of information and inſtruction to be found in Ariſtotle

reſpecting the art of dramatic compoſition. For this great critic does not, in the faſhionable mode of modern times, attempt to exhauſt the ſubject on which he treats by a minute, dull, and tedious inveſtigation, equally devoid of animation and ſagacity; but ſeizing with a bold and maſterly hand upon thoſe leading points, which are alone worth attending to in the diſcuſſion on any queſtion, he preſents you with the reſult of his enquiries, to adopt the happy equivoque of a certain French writer, not *in folio* but *in fructu*.

It is evident that Ariſtotle, in explaining and illuſtrating the laws of the drama, had an immediate view and reference to the eſtabliſhed modes and arbitrary inſtitutions of the Grecian theatre: and though he has omitted perhaps none of the rules eſſential to the conſtruction of a perfect drama, he has inſerted many which are merely adapted to that particular form of dramatic compoſition from which the prejudices of the Athenians permitted no deviation. The Grecian Tragedy was the repreſentation of an action continued from the firſt ſcene to the laſt without interval and without interruption, excepting from the occaſional reflections of the Chorus, who were the conſtant auditors and ſpectators of all that paſſed. "This mob of confidents," ſays Mr. Walpole, "are the unnatural excreſcences of a drama, whoſe faults are admired as much as its ex-

excellences. With all the difference of Grecian and French, or Engliſh manners, it is impoſſible to conceive that Phædra truſted her inceſtuous paſſion, or Medea her murderous revenge, to a whole troop of attendants." From this radical abſurdity, however, aroſe that undue ſtreſs which the generality of modern critics have placed on what they ſtile the unities of the drama. The unity or perfect connection of action is indeed clearly founded on the baſis of good ſenſe, and is repeatedly mentioned by Ariſtotle as of primary importance and obligation. But the unities of time and place neceſſarily reſulting from that particular form of dramatic compoſition eſtabliſhed amongſt the Greeks he ſcarcely notices. We are therefore at full liberty to argue the queſtion, which Ariſtotle has by no means taken upon him to decide, viz. Whether the drama might not with advantage aſſume another form, in which the unity of action alone ſhould be ſtrictly adhered to, and the unities of time and place might, by virtue of an appeal from authority to reaſon, be occaſionally diſpenſed with.

The grand argument in favor of a ſtrict adherence to the unities is derived from the near approach to reality which ſuch a repreſentation exhibits, and the conſequent ſtrength of the impreſſion which it is calculated to make. The

exactitude of the imitation, however, does not invariably or neceſſarily conſtitute the excellence of the imitation. A waxen figure excites diſguſt, while a ſtatue of marble is viewed with admiration. The truth is, that notwithſtanding the cloſeſt conformity to theſe mechanical rules, the difference between the repreſentations of the drama and the ſcenes which paſs before us in real life is ſo prodigious, that we are not and cannot be for a moment deceived; and if ſuch deception were poſſible, it would entirely deſtroy the pleaſure derived from the repreſentation. It is obvious alſo, that by an undeviating adherence to theſe rules the genius of the poet is embarraſſed and fettered; the conduct of the fable is injured; and much perplexity and much abſurdity created which might eaſily be avoided, by allowing that latitude of conſtruction which is neceſſary to give conſiſtency to the general plan, and probability to the incidents of the drama, by the neglect of which the effect of the whole muſt be eſſentially weakened and impaired.

It has been aſſerted that there is another ſpecies of unity more important than all the three combined, upon which the critics have ſo much inſiſted—unity of character. This is a ſpecies of excellence, however, upon which the Stagyrite himſelf lays very great ſtreſs both in Epic and

and Dramatic compoſition. But then the juſtice of his obſervation muſt be admitted, that the fable or action is of primary importance in the formation of a perfect drama, and that character is not to be ſubſtituted for incident. And if ſtrength and variety of character will not atone for any radical defect in the conſtruction of the fable, much leſs will propriety or beauty of ſentiment. In the tragedy of Cato the action is cold, unintereſting, and barren of incident. The characters are ſketched with a faint and powerleſs pencil: but the ſentiments are noble and elevated, expreſſed in language highly poetical, and for the moſt part juſtly and happily adapted to the reſpective characters. But is the great end of Tragedy attained? Is pity or terror excited? Do we glow, and tremble, and weep? No—we are contented calmly to admire; and are ſolely attentive, as Dr. Johnſon has remarked, not to what is done, but merely to what is ſaid. Even Comus and Samſon Agoniſtes muſt be acknowledged eſſentially deficient as dramas, however juſtly they are celebrated as the effuſions of a brilliant imagination or an elevated genius. With reſpect to the general ſtile of dramatic compoſition, we find that Ariſtotle is of opinion, that Tragedy admits, and even requires higher dignity and elevation of language than the Epopeia itſelf. As the Epopee may

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with propriety occaſionally aſſume a dramatic form, the higher beauties of poetry are not however the excluſive property of the drama. But it muſt be acknowledged, that the actual repreſentation and expreſſion of paſſion will, in the hands of a maſter, be accompanied with that energy and force of language which no mere deſcription, however highly coloured, can reach; and which muſt exhauſt all the magic of that art by which, as by ſome potent ſpell, the poet at his pleaſure inflames and faſcinates the ſoul. The bold and glowing expreſſions which ſo happily correſpond with the tone of the paſſion when actually repreſented, muſt, when the action is converted into narration, appear ſtrained, turgid, and unnatural. Had Shakeſpeare feared to excite the laughter of the critics by introducing the ghoſt of buried Denmark upon the ſtage, and this incident had been thrown by the poet into narrative, how, for inſtance, could the lofty and daring images which Hamlet's apoſtrophe to the apparition at preſent exhibits, have found a place? In a word, as narration muſt ever neceſſarily confine itſelf to the deſcription of paſſion, it cannot adopt the genuine language of paſſion, which affords the moſt unlimited ſcope for the higheſt flights of poetry. It muſt therefore ever remain comparatively tame and ſpiritleſs.

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The generality of critics have aſſerted that the fable of a Tragedy ought to be perfectly ſimple; and that the attention ought not to be divided by any collateral or ſubordinate action. This opinion Ariſtotle ſeems to favor, though he admits that excellent dramas have been compoſed on the contrary plan. There is another ſenſe however in which he contends that a tragedy ought not to be ſimple but complex. By this, as he explains himſelf, we are to underſtand that in his opinion a *peripeteia*, or revolution of fortune, is eſſential to the perfection of dramatic action; the word ἁπλόος being oppoſed not as in the firſt inſtance to διπλόος, but to πεπλεγμένος. In a caſe ſo doubtful, the authority of Ariſtotle may be allowed to decide: but there are, nevertheleſs, many fables admirably adapted for the purpoſes of Tragedy, which do not admit of that revolution of fortune upon which the great critic lays perhaps rather too much ſtreſs; though it may indeed heighten the general effect where it can be introduced without apparent violence. In the Tragedy of Lear, we feel diſappointed, and almoſt angry, that a revolution of fortune does not take place in favor of the venerable old monarch. But in that of Othello, dramatic propriety manifeſtly requires the moſt perfect ſimplicity of action; and we plainly perceive that the cataſtrophe could neither be prevented nor im-

impeded by any revolution of fortune which would not eſſentially injure the conduct of the fable.—And we mourn over the fate of Deſdemona with emotions very different from thoſe excited by the death of Cordelia. For though the drama of Lear had terminated in happineſs, the fable would ſtill have remained highly important, intereſting, and tragic.

If in any reſpect the critique of Ariſtotle appear too faſtidious or fanciful, theſe faults are perhaps chiefly diſcernible in the rules which relate to the conduct of the fable. Having once advanced the poſition, that pity and terror are the means by which the moral purpoſes of the drama are to be effected, he is compelled for the ſake of his hypotheſis to maintain, that thoſe who are repreſented as falling from happineſs to miſery, ſhould neither be perſons of extraordinary virtue, as that would excite diſguſt rather than pity or terror; nor on the other hand ſhould they be perſons of flagitious character, as in this caſe we ſhould feel neither pity nor terror, but complacency and ſatisfaction. But though pity and terror muſt ever be conſidered as the grand movements of tragic, I do not comprehend the neceſſity or propriety of the abſolute excluſion of all other paſſions. When a virtuous man is plunged into the depths of misfortune, the paſſion of pity is doubtleſs excited; and that pity

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is combined if not with terror, at leaſt with that ſublime ſpecies of admiration which may ſerve as a very proper ground-work for Tragedy, and which may be made ſubſervient to the nobleſt moral purpoſes. The death of Socrates for inſtance would be a very proper ſubject for the drama; and if diſguſt, as Ariſtotle affirms, be in fact excited by a cataſtrophe of this nature, it muſt be owing to a radical defect of art or genius in the poet. For a virtuous man, as Seneca obſerves, nobly ſtruggling with misfortune, is a ſpectacle which even the gods may regard with pleaſure. Alſo if a man of profligate or abandoned character ſhould be repreſented as falling from happineſs to miſery, though neither pity nor perhaps terror would be excited, yet might the mind be inflamed by a train of artful and well imagined incidents with that abhorrence of moral depravity, and that indignation againſt it, which ſhould in an equal or ſuperior degree effect the purpoſes, which the great critic is ſo laudably ſolicitous to accompliſh. Who can contemplate the characters of a Zanga, or an Iago for inſtance, or of the royal ſiſters Goneril and Regan, and the direful conſequences of ſuch atrocious guilt as it affects the guilty themſelves, without feeling their paſſions *purified* by the conflict of thoſe emotions, which ſuch a view muſt inevitably and mechanically

mechanically excite?—though with reſpect to cataſtrophes of this nature, it cannot be denied that

> "The judgment of the heavens which makes us tremble,
> Touches us not with pity." SHAKESPEARE.

It muſt indeed be acknowledged diametrically oppoſite to the deſign of Tragedy, to exhibit a wicked man as riſing through miſery or misfortune to happineſs: for ſuch a repreſentation has certainly no tendency to excite any virtuous feeling or to excite any moral purpoſe. Nor is it eaſy to name any drama of reputation founded on a plan ſo obviouſly exceptionable. Upon the whole, however, it may perhaps be juſtly admitted that the deſign of the drama is moſt effectually anſwered, and the paſſions of pity and terror, which are the great characteriſtics of Tragedy, moſt forcibly excited, by exhibiting a character in which though virtue predominates, there is a great mixture of imperfection, ſuffering under the effects of his own error or imprudence. In caſes of this deſcription, the ſympathetic feelings are peculiarly ſtrong and vivid; and we are moſt powerfully impreſſed with the idea of the danger to be apprehended, from the ſupine or active indulgence of thoſe culpable errors or perſonal failings which are productive of ſuch fatal effects.

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It is proper to add, that the ideas of Ariſtotle reſpecting poetical juſtice differ very materially from thoſe of the moſt modern celebrated critics. He is ſatisfied if a general impreſſion is by ſome means made in favour of virtue: but the faſhionable doctrine both of moraliſts and critics in theſe times is, that virtue and happineſs are conſtant concomitants: and it is regarded as a kind of dramatic impiety, to maintain that virtue ſhould not be rewarded nor vice puniſhed in the laſt ſcene of the laſt act of every Tragedy. This conduct in our modern poets is, however, extremely injudicious; for it labours in vain to inculcate a doctrine in theory which every one knows to be falſe in fact—*viz.* that virtue in real life is always productive of happineſs, and vice of miſery. Thus Congreve concludes his tragedy of the Mourning Bride with the following unwarrantable and inconcluſive couplet.

"Hence learn, what bleſſings wait on virtuous deeds:
And though a late, a ſure reward ſucceeds."

When a man eminently virtuous, a Brutus, a Cato, or a Socrates, finally ſinks under the preſſure of accumulated misfortune, we are not only led to entertain a more indignant hatred of vice, than if he roſe triumphantly from his diſtreſs, but we are inevitably induced to cheriſh the ſublime idea, that a future day of retribution

will

will arrive, when he ſhall receive not merely poetical but real and ſubſtantial juſtice. The proper cataſtrophe of a Tragedy muſt, however, be determined by the nature and circumſtances of the fable: and it would have been as abſurd in Shakeſpeare, to make the Tragedy of Othello terminate in happineſs, as in Racine that of Athalie in the reverſe. And of theſe two chef-d'œuvres of the modern drama it may be remarked, that Athalie, though a moſt beautiful, regular and faultleſs performance, is itſelf a ſtriking proof how much art may be excelled by nature. For with all its eccentricities, the general effect produced by the Tragedy of Othello is ſo prodigiouſly ſuperior, that were we not fully apprized of the unparalleled force and grandeur of the genius of Shakeſpeare, we might be tempted haſtily to condemn all rules of compoſition as totally uſeleſs; and ſeriouſly to approve the language of one of the heroes celebrated in the Dunciad, who being adviſed, as Mr. Pope tells us, by a friend to whom he declared his intention of writing a Tragedy, previouſly to ſtudy the critics in order to acquire a perfect knowledge of the laws of the drama, coldly and contemptuouſly replied, "SHAKESPEARE wrote without any knowledge of rules."

FINIS.